

**CONCEPTUAL METAPHORS IN LEGAL  
DISCOURSE: A CORPUS-BASED ANALYSIS OF  
THE COURT JUDGMENTS IN PAKISTAN**

By  
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**NATIONAL UNIVERSITY OF MODERN LANGUAGES  
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**Conceptual Metaphors in Legal Discourse: A Corpus-Based  
Analysis of the Court Judgments in Pakistan**

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## THESIS AND DEFENSE APPROVAL FORM

The undersigned certify that they have read the following thesis, examined the defense, are satisfied with the overall exam performance, and recommend the thesis to the Faculty of Arts & Humanities for acceptance:

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## ABSTRACT

### **Thesis Title: Conceptual Metaphors in Legal Discourse: A Corpus-Based Analysis of the Court Judgments in Pakistan**

This study explores the frequency and types of metaphors in the legal discourse in Pakistan. For this purpose, a specialized corpus, Corpus of Legal Discourse in Pakistan (COLD), was built from the selected judgements of the Supreme Court of Pakistan. Subsequently, COLD was analyzed for metaphor identification using a combination of techniques including those applied by Charteris-Black (2004), MIP (Metaphor Identification Procedure) by Pragglejaz Group (2007) and MIPVU (a modified version of MIP developed at Vrije Universiteit) by Steen et al., (2010). The method involved both quantitative and qualitative analyses to determine the frequency, types and role of metaphors in COLD. The study found that 13.60% of the corpus consisted of metaphors with prepositions making the dominant word class of all metaphorically used words, followed by verbs and then nouns. The prominent source domains identified in the corpus included physical objects, space, humans and journey, along with several other minor domains. It was observed that metaphors have been used to perform communicative, persuasive and ideological roles in the corpus, by not only communicating the abstract and unfamiliar concepts in familiar and concrete terms, but also by serving the ideological purpose of convincing the audience about the objectivity and impartiality of the judicial system in dispensing justice and establishing the superiority and dominance of law and its associated institutions. Several of the findings of the study were found consistent with previous studies on the topic. The study also found a large number of further instances of Complex System Metaphors and Event Structure Metaphors from the domain of legal discourse in the context of Pakistan.

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## LIST OF ABBREVIATIONS

- **Adj**                    **Adjective**
- **Adv**                    **Adverb**
- **CMT**                   **Conceptual Metaphor Theory**
- **COLD**                **Corpus of Legal Discourse in Pakistan**
- **Conj**                 **Conjunction**
- **Det**                    **Determiner**
- **ESP**                   **English for Specific Purpose**
- **KWIC**                **Key Word in Context**
- **LSP**                   **Language for Specific Purpose**
- **MEDAL**              **Macmillan English Dictionary for Advanced Learners**
- **MP**                    **Member of Parliament**
- **MIP**                   **Metaphor Identification Procedure**
- **MIPVU**              **Metaphor Identification Procedure Vrije Universiteit**
- **MUWs**               **Metaphorically used words**
- **N**                     **Noun**
- **POS**                  **Part of Speech**
- **SCP**                  **Supreme Court of Pakistan**
- **SJC**                  **Supreme Judicial Council**
- **SOEDHP**            **Shorter Oxford Dictionary on Historical Principles**
- **Txt**                  **Text**
- **V**                     **Verb**

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*“The Most Compassionate, Who created humanity, ‘and’ taught them speech”.* (Al Quran)

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## CHAPTER 1

### INTRODUCTION

#### 1.1 Overview of the Chapter

The first Chapter of the study presents an introduction to the present research. It starts with a brief background to the study and is followed by the statement of the problem. Next, the research objectives of the study have been presented and research questions of the study are mentioned. The next section discusses the significance of the study and is followed by the delimitations. At the end of the chapter, an outline of complete study has been given in the form of a brief account of the six chapters of the thesis.

#### 1.2 Relationship between Language, Law and Metaphor

Language is a unique gift bestowed on humans as the most powerful tool to express thoughts and feelings. It encompasses expression pertaining to all human activities and thought processes, from the loftiest thoughts to the most mundane activities of daily life. In the progress of human civilization, language has played a pivotal role. Commenting on the role of language, Murray (1984, p. 716) says "The concept of the force of language is so great, so overwhelming that it is a profound thought to say that if we cannot name it, describe it, then it simply does not exist!". Law and legal matters are no exception to this overarching importance of language in human life. Law is, in fact, created through language and interpreted through language. A major part of the functions of laws is realized through language and language serves as a medium, process and product in this course of regulating social behaviour (Maley, 1994). Danet (1985, p.273) asserted that "while language is central to all human affairs, it is particularly critical in the law. Physicians work with physical substances and entities; in contrast, the work of lawyers and judge is symbolic and abstract. In a most basic sense, law would not exist without language". The role of language in law is of great significance. It is assumed that words with literal, unambiguous and objective meanings are the ideal candidates for legal language; figurative language and stylistic embellishments are not considered appropriate. The language of law is required to be clear

and unambiguous (Caussignac, 2005), leaving no room for misinterpretation and subjectivity as it aims to be objectively interpreted and implemented.

However, as we see from empirical data (some of which have been referred to in Section 2.12), legal language like any other aspect of human language cannot be free from figurativeness including metaphor, where metaphoric expressions have been identified to play not only stylistic and rhetoric roles but also serves to enhance the communicative and ideological power of legal language. According to Šeškauskiene and Stepancuk (2014), despite the complex nature of legal language, it draws on principles of general language like any language for a specific purpose (LSP) and follows the general principles of cognition. Legal reasoning is not different from general reasoning in that it is embodied, metaphorical, situational and imaginative (Winter, 2001). It is not unnatural for the language of law to possess, to a varying degree, all the attributes of general language. Winter (2008, p. 376) effectively expresses this by saying, "law strives to be black and white. Yet, for all its efforts, it cannot help but express itself in all the colours of human imagination".

As there has been a continuous and unsettled debate among scholars about the presence and significance of metaphors in language in general and the language of law in particular, the researcher was attracted to the idea of exploring legal discourse for metaphoric expressions in the context of Pakistan using techniques of Corpus Linguistics. Hence this study was undertaken.

### **1.2.1 Traditional Views of Metaphor**

Metaphor in language has existed since antiquity. Historically, the oldest and first elaborate discussion is found in the work of Aristotle (384-322 B.C.), who not only defined metaphor and discussed its role in language but also warned against its inappropriate use, basing his criticism on examples from works of his time. Aristotle's criticism of improper metaphors, in later traditions, was wrongly interpreted as a lack of cognitive value in metaphor. Probably this misinterpretation of his work led to the decorative view of metaphor that was wrongly attributed to Aristotle (Deignan, 1997). In subsequent philosophy, for centuries, metaphor could not receive a positive evaluation for its role in language and communication. The concept of metaphor evolved since the time of Aristotle and early Greeks predominantly regarded it as a deviant use of words that is easily exploited to inflame

the passions and influence convictions. And even today, "this legacy haunts accounts of metaphor" (Way, 1991, p.3).

The blatant attack on metaphor by the empiricists in the 17<sup>th</sup> Century for its appeal to emotion rather than reason and its potential to conceal truth through verbal deceits virtually excluded metaphor from all sorts of scientific and philosophical thought. Their hatred for metaphor is vehemently expressed in the words of Hobbes (1651) who writes, "Metaphors, and senseless and ambiguous words are like *ignes fatui* and reasoning upon them is wandering amongst innumerable absurdities; and their end, contention and sedition, or contempt" (Leviathan 1.5.22). This view of metaphor continued for the next two centuries till the Logical Positivists of the 20<sup>th</sup> Century further flamed this hatred by their criteria of the 'verifiability principle' which, according to them, metaphor could not meet. They further devalued metaphor by assigning it "an extra-logical status" (Way, 1991, p4). This traditional misconception about metaphor for its inability to objectively express truth remained in vogue for centuries from the time of Aristotle until the middle of the Twentieth century. Quoting Hesse (1974) and Kuhn (1967), Ureña and Faber (2011) say that experts in the field of science, epistemology and philosophy of science started acknowledging the importance of metaphor as an important device for the formation of concepts and denomination not until the 1960s.

In legal discourse, metaphor was not considered appropriate as it was usually associated with literature and rhetoric expressions as a stylistic and poetic device. According to Winter (2008, p.363), under the influence of objectivist epistemology, legal theorists and lawyers "take a dim view of metaphor" and even those who admit the role of a metaphor for its vivid and evocative function are worried that the clarity and comprehensibility of law will be compromised by the poetic nature and subjective qualities of metaphor. It was not until the last two decades of the 20<sup>th</sup> century that views about metaphor started to change, mainly due to the revolutionary stance taken by Conceptual Metaphor Theory (CMT).

### **1.2.2. Conceptual Metaphor Theory (CMT)**

Towards the mid-20<sup>th</sup> Century, views about metaphor started changing, beginning with the radical and revolutionary works of Richards (1936) and Black (1955 & 1962) that rendered the traditional view of metaphor unacceptable in the light of recent perspectives (Johnson, 1981) and led to the Cognitive Turn, emerging with the work of Ortony (1979).

However, it was the seminal work of Lakoff and Johnson (1980 and later Lakoff and Johnson 1999, 2003 & Lakoff, 1993) that led to the emergence of Conceptual Metaphor Theory (CMT), which changed the whole viewpoint about metaphor in language. Lakoff and Johnson (1980; p.454) not only challenged the traditional approach but also came up with revolutionary ideas by proclaiming that "our ordinary conceptual system, in terms of which we think and act, is fundamentally metaphorical in nature" and argued that the locus of metaphor is in thought, not in language. The cognitive linguistic perspective on language emphasizes the conceptual and experiential underpinnings of categories and constructs, reflecting general principles of conceptual organization and categorization, as well as processing mechanisms. This contrasts with the view of generative linguists, who propose an autonomous structuring of language (Gibbs, 2006). CMT claims that metaphor pervades in all types of language including the most objective discourse of science and philosophy. Far from being a decorative and superfluous embellishment of language that can be peeled away, CMT argues that metaphor is a fundamental part of our language. According to CMT, metaphor is not merely a linguistic matter but a conceptual one i.e., metaphor is not just an essential part of language but also a vital part of human thought (Gibbs 2011). After this revolutionary turn, existence of metaphor in all types of language is universally acknowledged and its role other than decorative one is accredited in all types of discourses. The last three decades have seen an unprecedented interest in research into metaphor from different angles with legal discourse as no exception.

### **1.2.3 Metaphor in Legal Discourse**

Legal language has its own characteristics lexical, syntactic and stylistic features. However, legal language, like any language for a specific purpose, is no exception to the claim of CMT that metaphor pervades our language and thought. Regardless of the emphasis on the use of neutral language in legal texts, study after study (some of them mentioned in Section 2.12) have identified metaphors and analyzed their role in different genres of legal discourse. These studies have shown that the language of law is not devoid of figurative expressions like metaphor and have acknowledged the importance of metaphors and the significant role they play in the discourse. Ritchie (2007) believes that realization about the status of metaphor in legal scholarship has grown recently as metaphors are considered essential for understanding and using legal concepts. According to White (1973), the power of law lies not in its rules or decisions but in the language of law, in the coercive aspect of its

rhetoric and in the way it structures vision and sensibility. The use of metaphor gives new meanings and power to concepts in the legal language. Unlike literature and creative writing, metaphors in scientific discourse, including legal language, are not just a stylistic device that can be removed; rather, they are an integral part of language and serve an important purpose. Metaphor tries to explain or describe an object or action in terms of a more familiar or ordinary thing or action to draw clarity or unfold hidden similarities. Similarly, the persuasive and ideological role of metaphor has also been acknowledged through various empirical studies undertaken through corpus analysis.

#### **1.2.4 Metaphor and Corpus Analysis**

Lakoff and Johnson (1980; 2003) and Lakoff (1993) have elaborately discussed metaphor in language by citing examples in support of their claims. Nevertheless, critics argue that their argumentation in favour of metaphor in language is not based on real language; rather artificial or isolated instances have been relied upon and presented in support of their claims. However, the emergence and development of Corpus Linguistics and corpus analysis towards the end of the past century have enabled researchers and scholars to collect data and extract instances from real language used by humans in various genres and registers that have significantly substantiated claims of CMT. The emergence of computer technology and computer programmes in the past couple of decades have made further significant contributions by making it easier to analyse a huge amount of data, consisting of millions of words in actual context and producing more reliable and valid results than analyses based merely on intuition or manual search. Corpus analysis not only reveals the frequency of metaphor in discourse but also provides information about the collocational tendencies of words and their lexico-grammatical configurations (Deignan, 2005). In the field of metaphor, corpus analysis is still not fully automated but different techniques, being explored and developed by various researchers, are contributing towards a hybrid approach, involving combination of both manual and computerized analysis which is far more efficient than manual analysis for larger texts. This approach is widely adopted for metaphor studies throughout the world including cross-linguistic analysis and comparisons.

### **1.3 Statement of the Problem**

Metaphors have sparked debate since ancient times. Traditionally, dating back to Aristotle, they were seen merely as stylistic embellishments without any cognitive value.



However, the advent of Cognitive Linguistics, particularly Conceptual Metaphor Theory (CMT), has revolutionized perceptions of metaphors. In contrast to the traditional view, CMT posits that metaphors are pivotal in thought processes, serving as indispensable components of both thought and language (Deignan, 2005). According to the cognitive viewpoint, metaphor transcends being merely a figure of speech; it involves neural and mental mapping that profoundly influences how individuals think, imagine and reason in their everyday lives (Lakoff, 1999). CMT upholds that metaphors in language are motivated by the metaphoric thinking, acting and feelings of the people (Gibbs, 2006; Kövecses, 2010; Steen, 2014).

While CMT has been widely accepted for its insights into the metaphorical basis of human thought and language, it has faced several critiques concerning its methodology and scope. Critics (e.g., Deignan, 2008; Koller, 2008; Kövecses 2009; Gibbs, 2010) have pointed out that CMT often relies on artificially constructed, decontextualized, and introspection-based examples rather than on genuine linguistic data from everyday communication. These examples are frequently invented or chosen to align with the researchers' theoretical biases, lacking empirical grounding in actual language use (Gibbs, 2006). Similarly, CMT has also been criticized for its over-emphasis on metaphor in thought (conceptual metaphor) and ignoring metaphor in language (linguistic metaphor) (Cameron and Deignan, 2006; Cameron et al, 2009). Lately, with advancements in corpus linguistics, there has been greater emphasis on analyzing the role of metaphor in actual language context, with data taken from real language discourse for analysis through discourse and corpus approaches (Cameron and Deignan, 2006). This methodological pivot aims to anchor the theory in verifiable data, addressing previous criticisms about the lack of systematic procedures for identifying metaphors in actual language contexts. Deignan (2005) argues that even decorative views of metaphors are based on intuitive estimates rather than empirical evidence. This critique underscores the need for more rigorous, data-driven approaches to studying metaphors to accurately evaluate their impact on both language and thought. The absence of empirical evidence also undermines the credibility and impact of claims made by CMT regarding the ubiquity of metaphors in everyday language.

Since the late 20<sup>th</sup> century, discourse analysis using corpus approach has offered a promising method for investigating metaphorical language empirically. By examining actual discourse, corpus analysis provides a robust framework for identifying and analyzing metaphors, thereby offering a means to substantiate the claims of CMT on empirical grounds.

The empirical analysis for the existence and frequency of metaphors is now conducted across various domains and languages, providing rich data that contributes to the development and refinement of metaphor theories.

Like other domains, legal discourse has become a focal point for metaphor analysis in recent years across various languages. Detailed studies have been conducted on metaphor usage in various languages (some of them discussed in Section 2.12) which contribute significantly to our understanding of how metaphors function within legal contexts across different linguistic and cultural settings. While several corpus-based studies have been undertaken to analyze various aspects of the English language in Pakistan, research in the field of metaphor remains relatively sparse. At the time of undertaking this study, the researcher could not find any work on the analysis of metaphor in any of the genres of legal discourse in Pakistan. This gap in research presents ample opportunities for researchers to explore this field, especially in the context of claims made by CMT. Investigating metaphor in legal discourse in Pakistan could shed light on its usage and contribute to a deeper understanding of how metaphor functions within this specific cultural and linguistic context.

The aim of the present study is to bridge the gap in research by empirically analyzing authentic legal discourse in Pakistan to study metaphors, utilizing corpus analysis techniques. This study seeks to explore selected court judgements of Supreme Court of Pakistan (SCP) to initially identify the frequency and types of metaphors and subsequently delve into their role within the legal discourse following the discourse approach to metaphor analysis proposed by Deignan (2005), while using the techniques of metaphor analysis from MIP (Metaphor Identification Procedure) developed by the Pragglejaz Group (2007), MIPVU (Metaphor Identification Procedure Vrije Universiteit) developed by Steen et al. (2010) and Charteris-Black's (2004) hybrid metaphor analysis method (details are provided in Chapter 3). Given the specificity of the genre, a specialized corpus was developed for analysis and was named as the Corpus of Legal Discourse in Pakistan (COLD).

#### **1.4 Objectives of Study**

The following objectives were set for this study:

1. To determine the frequency of metaphor usage within selected legal legal discourse in Pakistan

2. To identify the types of frequently used metaphors in the selected legal discourse in Pakistan
3. To analyze and elucidate the function of metaphors in the selected legal discourse in Pakistan

### **1.5 Research Questions**

The present study is undertaken to find answers to the following questions: -

1. What is the frequency of metaphorical expressions in the Pakistani legal discourse?
2. What types of metaphors are frequently employed in the Pakistani legal discourse?
3. How do metaphors employed in the Pakistani legal discourse throw light on their role in court judgements and orders?

### **1.6 Delimitation of the Study**

Legal discourse is a vast field that includes several genres and subgenres which consist of a huge amount of different texts including legislative acts, contracts, academic legal language, court orders and judgements, statutes, legal contracts, etc. To select a manageable amount of data, the present study focused only on one genre of the discourse i.e., court judgments and orders in Pakistan. An initial survey from the websites of the Supreme Court of Pakistan and the five High Courts revealed that thousands of judgements and orders are annually issued by these courts. So, it was deemed practical and convenient to select data for this study from the orders and judgements of the Supreme Court of Pakistan only. This analysis was further delimited to judgements and orders of the Supreme Court of Pakistan to only contemporary judgements and for this purpose cases registered in the SCP in the year 2019 and whose judgements were available till 28 February 2022 were selected which were 139 in number with a total token of 481,577 words.

### **1.7 Significance of the Study**

This study is important in several ways. In the first place, it contributes to the growing body of knowledge on various aspects of metaphor in legal discourse as there is a realization among scholars that metaphor studies are mainly focused on isolated and decontextualized

examples and there is a need for studies on metaphor from real language discourse. The study aims to explore the role of metaphor in the selected discourse and contributes to knowledge of how metaphor use helps in advancing the communicative purpose of discourse. The findings of the study may contribute to expanding the overall perspective about metaphor in legal discourse in various other languages in getting more generalized results.

Metaphor identification techniques in large corpora are not completely automatized and a variety of techniques are being experimented and advocated by researchers and scholars (details in Section 3.2.) for efficient analysis. This study has employed a combination of metaphor identification techniques and a mix of qualitative and quantitative methods. Results from this study are expected to contribute to evaluating the validity of these methodological approaches in metaphor identification and analysis, particularly in the absence of an exclusively software-based analysis in large corpora. As this study focuses on a specific genre of legal discourse, the findings may be used to study metaphoric phenomena in other genres and registers with the purpose of developing a comprehensive account of metaphor. These findings may also contribute to research on general characteristics of legal discourse

The study will also help in satisfying the objections raised against claims made within CMT that their examples are invented and artificial by exploring real discourse for conceptual metaphor and evaluating claims made within CMT with examples from real language. The findings of the study may also help legal experts and jurists, especially in non-native speaking contexts, in using and interpreting metaphors for the specific purpose in legal discourse, regardless of the focus on neutral language use in legal language. The study will also contribute to the field of forensic linguistics, legal studies, law research and in the field of ESP (English for Specific Purpose) in designing law curricula by paying attention to the language of law along with the contents.

The study will contribute towards enhancing public awareness including journalistic reporting about the use of metaphors in legal discourse and help better communication between law professionals and the common public who are parties to the cases by helping them understand their role in the discourse. Thus, communication competence may be improved between the legal community and common people.

Finally, being a maiden attempt at the identification of metaphors in a legal discourse genre, the study is also expected to contribute to research on metaphors in legal discourse in Pakistani by further exploring their frequency and types in the language. The study may trigger further research interest in other genres of legal discourse and even other types of discourses to explore other dimensions of metaphors and develop a comprehensive account of metaphors in discourse in the local context.

## **1.8 Structure of the Thesis**

This study has been organized into six chapters. Chapter 1 (Introduction) describes the background of the study, the problem statement, objectives of the research, the research questions, delimitation of the study and significance of the study. Chapter 2 (Literature Review) reviews the relevant research in the field of metaphor analysis which is the theoretical framework for the study. The first part of the chapter discusses the classical account of metaphor, followed by a discussion on Conceptual Metaphor Theory (CMT). The next section highlights criticism of CMT and its limitations followed by a discussion on discourse and corpus approaches to metaphor studies. The next section discusses metaphor analysis in legal discourse and trends in the contemporary metaphor studies in the field of law. Chapter 3 (Research Methodology) discusses the methodology adopted in the study, the steps and criteria undertaken for the construction of a specialized corpus, sampling of the data for manual metaphor identification and the use of computer software for analyzing concordances for identifying metaphorically used expressions in the corpus. Chapter 4 (Data Analysis) presents quantitative and qualitative data obtained from analysis of the corpus. Chapter 5 (Findings and Discussion) discusses the analysis and interpretation of the data in the light of research questions of the study and compares the results with some earlier studies. The last chapter of the study i.e., Chapter 6 (Conclusion) concludes the study in the light of the findings of the study and also discusses the limitations of the study, followed by suggestions for further research.

## CHAPTER 2

### LITERATURE REVIEW

#### 2.1 Overview of the Chapter

This chapter discusses the theoretical background of the study. It starts with a discussion on the definition of metaphor, followed by a brief note on the classical account of metaphor. This is followed by a brief account of the revolution in views about metaphor in the 20<sup>th</sup> Century. A detailed discussion is given about Conceptual Metaphor Theory (CMT) in the next section. Shortcomings of CMT and new approaches to studying metaphor in actual language are discussed in the succeeding part. Discussion about the nature of legal discourse is given in the next section. It is followed by an account of some studies conducted by researchers to analyze metaphor in discourse. The last part of the chapter discusses metaphor identification procedures particularly MIP, MIPVU and the hybrid approach of Charteris-Black (2004). A brief discussion about conceptual, linguistic, conventional and innovative metaphors makes up the last part of the chapter.

#### 2.2 What is a Metaphor?

The English word metaphor is derived from the Greek word ‘μεταφορά’ or *metaphora* which is a combination of two words, *meta* (meaning beyond or above) and *pherein* (meaning carrying or bearing) (Spencer, 2012). The word *metaphora* literally means ‘the carrying across’ and suggests carrying across or transfer of a word from one thing to another (Zanker, 2016). The Oxford English Dictionary (1989) defines metaphor as "the figure of speech in which a name or descriptive term is transferred to some object different from, but analogous to, that to which it is properly applicable".

##### 2.2.1 Metaphor in Historical Perspective

Metaphor is as old as antiquity and its earliest recorded use can be traced back to Greek literature and myths of the pre-Socrates era (Johnson, 1981). Instances of its use are

found in authors like Pindar, Heraclitus, Homer, Empedocles, Plato and other Greek poets, orators and historians (Kirby, 1997; Novokhatko, 2014). However, the term *metaphora* was used for the first time by Isocrates (436–338 BC) in his work *Euagoras* in the fourth century BC (Zanker, 2016) who mentions it as a figure of speech that is suitable for poetry only, with no place for it in prose, although there are many instances of its use in his own text (Kirby, 1997; Novokhatko, 2014). According to Marcos (1997), it was Aristotle (384-322 B.C.) who systematically investigated and analyzed metaphor mainly in his two works *Poetics* and *Rhetoric* and developed the first explicit theory of metaphor. The oldest and the most-often quoted definition of metaphor was given by Aristotle (*Poetics* 1457.b.7, in Loeb 1982 translation from Levin 1982) who defined it as: "...the application of a word that belongs to another thing: either from genus to species, species to genus, species to species, or by analogy" (Levin, 1982, p.1). This famous definition has been foundational for all the subsequent views of metaphor and set the stage for the traditional concept that considers metaphor as some sort of deviance from normal usage and remained the dominant view until the middle of the 20th Century (Way, 1991). Traditionally, Aristotle is considered the originator of the decorative view of metaphor. According to Katz (1996), Aristotle considered the primary function of metaphor as stylistic and ornamental. Ortony (1993) also believes that Aristotle considered metaphor to be primarily ornamental and warned against its ambiguity and obscurity "which often masquerade as definitions" (p.3). The notion of metaphor as an implicit comparison that is based on principles of analogy later emerged as the comparison theory of metaphor (Ortony, 1993).

However, in modern philosophical discussion, there is a realization that Aristotle recognized the cognitive value of metaphor. Aristotle gave value to metaphor not only for its ornamental purpose but also for a cognitive and semiotic function (Kirby, 1997). Cameron (2003) also believes that along with rhetorical function, Aristotle acknowledged the cognitive function of metaphor too. Aristotle considered metaphor as a powerful means for achieving insight- in poetry to provide knowledge through artistic imitation and in rhetoric for making persuasive arguments (Johnson, 1983). Aristotle assigned a wider scope to metaphors than just rhetorical wordplay for their element of charm, freshness and clarity and he himself abundantly used them to explain difficult scientific phenomena (Driscoll, 2012). Schmitt (2008) believes that many of Aristotle's contemporaries and later theorists considered metaphor a decorative device, while Aristotle gave it a cognitive and semiotic function. Marcos (1997) thinks that Aristotle's criticism against using metaphors in some writers of his

time was targeted against bad metaphors due to their inappropriateness, lack of accuracy and mere ornamental character of metaphors rather than the use of metaphor itself and says that it would be a historical mistake to hold Aristotle responsible for what the subsequent traditions have done to abolish the cognitive dimension of the Aristotelian theory of metaphor. Deignan (1997) also holds that attributing the decorative view of metaphor to Aristotle may be a misinterpretation of his work. In fact, Aristotle's criticism of improper metaphors in later traditions was wrongly attributed to the lack of cognitive value in metaphor.

### 2.2.2 The Classical Views of Metaphor

Aristotle's definition of metaphor is regarded as the basis of the classical view especially the comparison theory of metaphor which regards metaphor as a *condensed simile*. This view regards metaphor as a useful device for decoration but with limited cognitive value and lays down the foundation of the classical theory of metaphor that has continued for centuries in post-Aristotelian philosophy in Roman and medieval philosophy (Johnson, 1981; Stallman, 1999). In the 16<sup>th</sup> Century, the Empiricists in Britain further degraded metaphor with their great emphasis on reason and logic and the need for a plain language, free from any embellishment to express thought and reality in scientific and philosophical discourse. This led to the exclusion of figurative language and metaphor from scientific and philosophical discourse (Holme, 2004). The chief purpose of the language, for Hobbes (1588-1679), is to express thought and communicate knowledge which is impeded when words are used metaphorically (Johnson, 1981). Hobbes (1651, p.26) says that "Metaphors and senseless and ambiguous words are like *ignes fatui*" while Locke (1894, vol. II, p.146 ) considers them 'Perfect cheats'. Empiricists, therefore, suggested avoiding metaphors and other type of figurative language in serious philosophical discourse as they could not see any place for them in science and philosophy; instead, they associated metaphor with rhetoric, stylistic embellishment and persuasive communication (Johnson, 1981) with no place for it in "genuine philosophical arguments" (Way, 1991, p.3).

In the 19<sup>th</sup> century, a respectful reference to metaphor in the post-empiricist scenario is found only in the works of Kant and Nietzsche (Johnson, 1981). Kant (1724-1804) associated with metaphor the function of *aesthetic idea* and rejected the traditional viewpoint that metaphor can be paraphrased (Howe, 2006). According to Nuyen (1989) and Cazeaux (2004), long before Lakoff and Johnson, it was Kant who realized the cognitive aspect of metaphor and considered metaphor as a device by which we understand something abstract.



Similarly, Nietzsche (1844-1900) rejected notions like *literal-truth* and the ornamental function of metaphor and argued that everyday language is metaphorical if judged by the Aristotelian definition of metaphor as carrying over. According to Howe (2006), Nietzsche declared metaphor as the basis of all types of thoughts and language.

### **2.2.3 Metaphor in the 20<sup>th</sup> Century**

In the first half of the 20th century, Logical Positivists emphasized the scientific method to re-evaluate philosophy, language and metaphysics (Marsonet, 2019) and believed that only literal language with its assumed precision and unambiguity could aptly correspond to the characteristic precision and unambiguity of science. According to Ortony (1993), Positivists believed that reality could only be expressed precisely through a language that is clear, unambiguous and testable and, therefore, granted it a privileged status. Hence, a metaphor with "its ambiguous referents" and its dubious "truth values" cannot be tested and verified on this criterion and, therefore, must be "descriptively meaningless", at least in the field of science; so, it has to be assigned "an extra- logical status" (Way, 1991, p.4).

However, by mid of the 20th century, adverse views started changing and were replaced with a renewed interest in metaphor due to the revolutionary works by Ivor Richards (expressed in *The Philosophy of Rhetoric*, 1936) and Max Black (*Metaphor*, 1955 & *Models and Metaphor*, 1962). These works questioned the traditional concept of metaphor in the light of the new perspective (Johnson, 1981).

#### **2.2.3.1 Richards' revolutionary views about metaphor**

Richards (1936) revolutionary concepts that challenged the centuries-old view of metaphor proved him to be "a direct precursor to the revolution in philosophical thought on metaphor" (Way, 1991, p.5). Following the footsteps of Kant and Nietzsche, Richards rejected the traditional view of metaphor in a more logical, forceful and radical manner and asserted that metaphor permeates in discourses of all kinds including philosophy so much that "we cannot get through three sentences of ordinary fluid discourse without metaphor" (Richards, 1936, p.98). Contrary to the classical view, Richards (1936) asserts that far from being a "happy extra trick" and deviant, special and decorative use of language, metaphor is the "omnipresent principle of language" (p. 92). He radically asserted that even "thought is metaphoric" and argued that metaphor in language derives from metaphor in thought (p.94).

A very significant and revolutionary contribution of Richards is his *interaction* view of metaphor which provides a conceptual basis for how metaphor works. Richards (1936) says that the metaphoric process involves the interaction of two thoughts of different things interacting with each other and producing a new meaning. He termed these two ideas interacting with each other as 'tenor and vehicle'. According to Richards, metaphor is an interaction between "two thoughts of different things active together and supported by a single word or phrase whose meaning is a resultant of their interaction" (p. 93). Richards holds the view that Metaphor works by combining its two elements, not by substituting one for the other (James, 2002). Another revolutionary stance of Richards was the rejection of the traditionally accepted notion of metaphor being based on similarities and argued that "there are very few metaphors in which disparities between tenor and vehicle are not as much operative as the similarities" (p.127). Elaborating on this point, he further says that, the change in meaning of the tenor by the vehicle is often based on their unlikeness than their likeness. He thus challenged the traditional view that metaphor always involves highlighting *similarities* between dissimilar concepts. However, according to Johnson (1981) and Way (1991), philosophers at that time did not pay much attention to Richards' ideas because his claims were too radical and he also lacked the credentials of being a philosopher.

### **2.2.3.2 Black's (1955) revolutionary views of metaphor**

Black (1955) highlighted the cognitive role of metaphor and challenged the substitution and comparison views that advocated that the meaning of metaphor can be expressed exactly through some kind of literal paraphrase or substitution. The former view argues that metaphor communicates meaning that might be expressed literally by completely replacing metaphor with a literal expression, while the latter holds that a metaphorical statement is a shortened form of literal comparison or a sort of elliptical simile (Way, 1991). Black (1955) negated both by asserting that metaphor is not just a substitute for a formal comparison or any literal statement but has its own capacities and achievements. In Black's view, understanding metaphor is not a matter of comparing actual properties of objects, rather, its understanding is based on what the terms of the metaphor are called to our mind (Johnson, 1981).

The most significant contribution of Black was his *Interaction Theory of Metaphor* which was based on Richards' (1936) notion of interaction which was developed into an explicit theory to explain how metaphors function. According to Black, some metaphors, which he calls substitution and comparison metaphors, can be replaced through equivalent

literal translation as advocated by the traditional theories, costing them nothing but to lose only some of their metaphoric charm or wit in the process but without any loss of cognitive content. However, interaction metaphors, which Black terms as the "philosophically most relevant", resist any literal paraphrase. They, according to Black, are not expendable and cannot be explained by substitution and comparison theories of metaphor. Trying to express them through equivalent replacement will fail to communicate the insight of a metaphor (Black, 1955).

Black (1955) made another radical claim that in some cases metaphor even creates similarities than just formulating the already existing ones and that sometimes the process is reciprocal in the sense that the subsidiary subject is also modified by the primary subject, though in a limited way (Wolf is seen more man-like as a result of the metaphorical statement '*Man is a wolf*'). In Black's view, there is a shift of meaning in the process of understanding a metaphor. In understanding a metaphor, the interconnections and associations of concepts may result in a change in the process. His notion added a cognitive dimension to the concept of metaphor which was hitherto regarded as just a linguistic phenomenon.

Black's revolutionary article challenging the traditional view of metaphor played a significant role in changing the centuries-old attitude towards metaphor. According to Johnson (1981, p.20), Black's concept of interaction metaphor was as start of "a trickle of philosophical interest" in metaphor research that has grown into "flood proportions".

### **2.3 Summary of the Classical Views of Metaphor**

As discussed earlier, Aristotle's definition of metaphor is regarded as the basis of the classical view which regards metaphor as a useful device for decoration but with limited cognitive value and laid down the foundation of the classical theory of metaphor that continued for centuries in post-Aristotelian philosophy (Johnson, 1981; Stallman, 1999). This view believes that metaphor could be assigned only a peripheral role to fill the lexical gaps in language and most of them could be removed from language without any significant effect (Deignan 2005). The above discussion highlights the long historical aversion to metaphor for its alleged inability to express truth and meaning that continued for centuries. Before going to the next section discussing Conceptual Metaphor Theory (CMT), I will summarize, in brief, the various earlier theories of metaphor, which are usually divided into substitution theory, comparison theory and interaction theory.

### **2.3.1 The Substitution View**

According to Black (1955), the substitution view holds that metaphorical expressions are used in place of their equivalent literal expressions. This view believes that in metaphor, the metaphoric expression is the substitution for a literal one (Ortony, 1980, p.3). It defines metaphor as "a word substituted for another on account of the Resemblance or Analogy between their significations" (Whately, 1846, p. 280). This substitution may be motivated by lexical necessity when no literal word is available in the language or may be motivated by stylistic preference but basically serves as an ornamental embellishment to the text (Ortony, 1980). The theory remained in vogue until recently in one form or another.

### **2.3.2 The Comparison View**

This view is a special version of the substitution view and considers metaphor 'a condensed or elliptical simile' which holds that metaphor presents the underlying similarity or analogy between concepts (Black, 1955). The famous metaphor from Shakespeare, 'Juliet is the sun' may be reproduced as Juliet is like the sun, leading us to find similarities between Juliet and the sun and thus helping us arrive at the meaning of the metaphor (Cameron, 2003). However, according to Cameron (2003), both Comparison and Substitution theories do not adequately explain metaphors except the most obvious ones.

### **2.3.3 The Interaction View**

This view was first presented by Richards (1936) and was further elaborated by Black (1955 & 1979) and has been discussed in detail in the previous section. Black (1955, p.285) explains the interactive view of metaphor as "two thoughts of different things active together and supported by a single word, or phrase, whose meaning is a resultant of their interaction". According to Cameron, (2003, p. 17), in the Interaction view, a metaphor links the Topic and Vehicle through a mental process, thus leading to a new and irreducible meaning rather than activating the pre-existing similarities. This view later led to the emergence of the cognitive view of metaphor.

This brief overview of metaphor shows that throughout history, from the time of antiquity till the mid-20<sup>th</sup> century, barring some minor exceptions, metaphor has been considered as a matter of language, serving as embellishment and was regarded as otherwise empty of any cognitive value of its own. Metaphor was berated as irrational and dangerous

and considered mutually exclusive with literal language that was regarded as suitable for philosophical discussion related to meaning and truth (Lakoff & Johnson, 1980). Kövecses (2010) has comprehensively summarized the five most commonly accepted features of metaphor according to the traditional view. These are;

- a. Metaphor is a matter of language and words only, i.e., it is just a linguistic phenomenon.
- b. It is used only for artistic and rhetorical embellishment.
- c. The basis of metaphor is the resemblance between entities that are compared.
- d. It is a deliberate use of words and only people with special talent can use it well i.e., it is the mark of genius.
- e. Metaphor is not an inevitable part of communication or thought. We use it for special purposes and we can peel it away from language without cognitive loss.

The traditional view of metaphor that was held for centuries relegated the status of metaphor to the secondary position of lesser importance. Metaphor has been considered as just an ornament or a decorative use of language used for adding style and impact to language but is removable from language (Cameron, 2003, p. 22). However, despite such huge aversion created against metaphor throughout its history of existence, "metaphor simply refused to go away" (Stallman, 1999, p. 22). The traditional views of metaphor have lost their vitality now as a result of the tremendous amount of empirical work in many academic disciplines, clearly demonstrating the ubiquity of metaphor not only in every day but also in specialized languages (Gibbs, 2008). Except for the interaction view of metaphor which holds some resemblance with the cognitive theory of metaphor mainly due to its stress on the cognitive dimension, the other views have lost their currency in recent years as a result of huge research on the cognitive aspects of metaphor (Trčková, 2014).

#### **2.4. The Cognitive Turn**

Views started changing about metaphor in the second half of the twentieth century starting with the works of Black and Richards. According to Steen (2011), the important work by Ortony (1979) contributed toward the shift of focus to metaphor as a matter of thought that has been termed 'the cognitive turn' and set the stage for the seminal work on metaphor by Lakoff and Johnson. Cameron (2003) believes that Schon's (1979) and Reddy's (1979) works, linking metaphors in language to people's thinking and conceptualizing, also

contributed to Lakoff and Johnson's (1980) revolutionary work. Reddy (1979) rejected the traditional philosophy giving the peripheral role to metaphor in understanding language and termed it the most important in human communication. Lakoff (1993) also gives credit to Reddy for suggesting that the locus of metaphor is not in language but in thought, that ordinary English is predominantly metaphorical and that metaphor is an indispensable part of the way we conceptualize the world. Lakoff and Johnson's (1980) work ultimately gave a cognitive dimension to metaphorical research and ushered in a new era in the field of metaphor research in the shape of Conceptual Metaphor Theory (CMT).

## **2.5 Conceptual Metaphor Theory (CMT)**

Lakoff and Johnson's (1980) work set the stage for research on the cognitive dimension of metaphor known as the Conceptual Metaphor Theory (CMT). This approach had been suggested even earlier by Black's Interaction theory and much before him in the work of Kant (Nuyen, 1989) and Nietzsche (Kövecses, 2016); however, it was the pivotal work by Lakoff and Johnson (1980) that revolutionized the centuries-old views about metaphor. There were some further contributions and modifications suggested to the original theory initially proposed by Lakoff and Johnson by linguists including Lakoff (1987), Lakoff and Turner (1989), Gibbs (1990 & 1992), Steen (1994), Kövecses (2002) and Lakoff and Johnson (2003) among others, although some of them were not always in complete agreement with the original theory (Romero & Soria, 2005). Gibbs (2008) thinks that in contrast to previous scholars who proposed the concept of a metaphorical basis of thought, Lakoff and Johnson (1980) provided systematic linguistic evidence to support their claim about metaphors of thought or conceptual metaphors. According to Tay (2014), three hallmark works i.e., *Metaphors We Live By* (Lakoff & Johnson, 1980), *The Contemporary Theory of Metaphor* (Lakoff, 1993) and *Philosophy in the Flesh* (Lakoff & Johnson, 1999) provided the foundations and later development of CMT. In the next section, a summary of the main tenets of CMT will be given mainly from the various works by Lakoff and Johnson including Lakoff & Johnson (1980), Lakoff (1993), Lakoff & Johnson, (1999) and Lakoff and Johnson (2003).

### **2.5.1 CMT and Metaphor**

CMT holds a revolutionary view about metaphor and rejects most of the traditionally held beliefs mentioned in the previous sections. Lakoff and Johnson (1980 & 2003)

categorically rejected the traditional notions that considered metaphor as a device of poetic imagination, or a phenomenon of extraordinary language like poetry or rhetoric instead of ordinary everyday language and a feature of language and words alone. Metaphor, according to them, is pervasive in all aspects of life, "not just in language, but in thought and action as well" (Lakoff & Johnson, 1980, p.454). They argued that our ordinary conceptual system is fundamentally metaphorical in nature and claimed with linguistic evidence that metaphor is characteristic of concepts not words and that our thinking, experience and actions are also metaphorical as they are governed by our conceptual system. CMT holds that metaphor is not just a feature of language, but a basic part of human thought (Gibbs 2011). For CMT, metaphor is primary while language is secondary (Cameron, 2003). Proponents of CMT claim that our thought processes are largely metaphorical as they are governed by concepts but concepts are not just confined to intellect; they govern our everyday actions as well. Our conceptual system has a vital role in defining our realities, our experiences, our perceptions and our actions and communication including language. Our perception of the world and people around us is structured by our concepts. CMT rejected the notion that concepts are literal, not metaphorical and argued that the locus of metaphor is in concept and that metaphors in language serve as proofs for the existence of metaphor in thought. They consider metaphor as a basic mental operation to understand the world and see it as a fundamental part of thinking and concept formation. As such, they systematically pervade not only in our language but also in our thinking, and even, control our minds and our actions (Cameron 2003). According to Gibbs (1992), CMT attacks on objectivist views of cognition and linguistics provided new and powerful insights into the understanding of metaphor.

Lakoff and Johnson highlighted the difference between conceptual metaphors and metaphoric linguistic expressions which are used for expressing them and claimed that our whole conceptual system is mainly structured metaphorically. We understand many abstract concepts through metaphor (Lakoff, 1993). A conceptual metaphor, according to them, is a connection between two semantic areas i.e., the source domains and the target domains. Metaphoric linguistic expressions are reflections and expressions of metaphors in a person's conceptual system. Linguistic metaphors owe their existence to conceptual metaphors (Lakoff & Johnson, 2003). Citing the famous conceptual metaphor ARGUMENT IS WAR, which is reflected in a variety of metaphoric linguistic expressions in the English language like *He attacked every weak point in my argument*, or *I've never won an argument with him*, and *His criticisms were right on target*, etc. Lakoff & Johnson, (2003) say that this metaphor

is not just a matter of language; rather, we think of argument in terms of war. The metaphorical concept structures our actions that we perform while arguing. Metaphors like these in our language come from metaphors in our conceptual system.

Lakoff and Johnson (2003) also rejected the notion that metaphor is based on similarities between properties that are inherently held by the objects and that metaphor only helps us see these similarities by helping us observe the inherent shared objective properties of things. They rejected traditional explanations for metaphorical phenomenon through theories of *abstraction* and *homonymy*, both of which are based on some pre-existing or perceived similarities and argued that metaphor is rather the result of cross-domain correlation in human experience resulting in perceived similarities between the two domains of metaphor.

### **2.5.2 CMT and the Concepts of Truth, Meaning and Understanding**

One of the most important focuses of CMT is related to the topic of truth, meaning and understanding because the biggest objection raised against metaphor throughout history is that truth and meaning are functions of only literal language and are thus confined to the domain of literal language, not metaphor. In the classical view, metaphor is denounced due to its alleged inability to represent reality and truth because its meaning is not precise. It believes that only words with fixed and precise meanings can describe reality objectively whether these are natural words or technical terms in scientific theory. There is no place for fanciful, rhetorical, poetic, figurative or metaphorical language because such language is subjective and irrational while objective language is rational, fair and unbiased. CMT repudiated these claims of the traditional philosophy.

#### **2.5.2.1 CMT and truth**

According to Lakoff and Johnson, Western philosophy, since the time of Plato, has been preoccupied with the idea of absolute, unconditional and objective truth. The Objectivists' view of truth believes that physical objects possess inherent properties that are independent of people or their experiences and interaction with them. For example, a rock as an object has inherent properties. We describe and understand them in terms of categories and concepts that correspond to the inherent properties of the object. The classical account claims that there exists an objective reality that can be described objectively and unconditionally through the use of words that have fixed, clear and precise meanings. Words



have proper senses by which truths and reality can be expressed. Through the use of straightforward words, we can speak objectively which can be understood objectively as true or false based on objective truth conditions. According to this view, truth is a matter of fitting words with precise meanings directly to objects in the world. Similarly, statements have objective inherent meanings, which lay down the conditions by which they can be measured to be true. Truth is a direct fit between some statement and a corresponding state of affairs in the world (correspondence view of meaning). If a sentence fits itself to the world, that is, it satisfies the truth conditions, then it is true; if not, it is false. Hence, only literal language is considered the appropriate means of expression for philosophy and the proper domain to deal with issues of truth and meaning. Metaphors, being extraordinary and imaginative poetic expressions, cannot express truth; they can do it only indirectly, through literal paraphrase. Notions like literal metaphor, metaphorical truth or truth claim of metaphor are contradictory for them.

CMT rejects the idea of absolute truth and, instead, offers an experiential account of truth that is based on human understanding. Lakoff and Johnson (2003) rejected the concept of absolute objective truth and called it not only a mistaken concept but also term it socially and politically dangerous. They said that truth is relative to a conceptual system, according to a particular situation and for a specific purpose and that truth is largely defined by metaphor. It is claimed within CMT that truth is the function of the human conceptual system. Like concepts, metaphors may also be true or false. As our conceptual system is metaphorical, and we understand the world through metaphor, metaphors can be also true and meaningful. It is not the inherent but the interactional properties of things that human concepts correspond to. According to Lakoff and Johnson (2003), truth consists of understanding a particular statement as true or false in a specific situation. In the experientialist account of truth, truth is secondary to understanding and is relative to what properties have been highlighted in a given context in a statement in a particular conceptual system. In the same fashion, as understanding is mostly partial, we do not have access to the whole truth or definite reality. According to Lakoff and Johnson (2003), traditional philosophy is concerned only with physical reality while their concept of reality and truth incorporates social and personal realities as well.

### 2.5.2.2 CMT and understanding

For traditional philosophy, understanding is a function of objective meaning and is based on account of objective truth. It involves fitting the words to the world based on inherent properties of objects without any human interaction. According to Lakoff and Johnson (2003), understanding in traditional philosophy is restricted only to understanding truth conditions for determining the literal and objective meaning of a sentence while human understanding is considered irrelevant in this process. It believes that science provides the methodology for understanding from an unbiased and universally valid point of view instead of involving subjectivity. It only admits a limited view of indirect understanding, i.e., when a speaker uses one sentence to convey a meaning that is different from the literal meaning of the sentence in a given context (Searle's views of metaphor).

CMT rejects this notion of understanding by claiming that understanding is based not on a set of inherent but interactional properties of objects. Instead of fitting the words and statements to the objects and states of affairs in the world, Lakoff and Johnson (2003) believe, that understanding involves correspondence between statements and state of affairs that is mediated through human understanding and human interaction with the situation. Understanding is the result of interaction with our environment and with other people. This process, according to them, typically involves human projection, calling up of experiential gestalt with our experiential dimensions with the environment and categorization based on interactional properties rather than some set of inherent theoretical properties. When experience is structured coherently by the gestalt that emerges directly from our interaction with the environment, that experience is understood directly; when gestalt is used from one domain to structure experience in another domain, we understand the experience metaphorically. According to CMT, there is essentially no difference between understanding through metaphoric and non-metaphoric projection with the exception that in the former understanding, one kind of thing is understood in terms of another while the latter involves only one kind of thing.

In our daily life, we understand many things directly as a result of our experience with our physical involvement but the general principles of understanding are mostly metaphoric in nature where we understand one kind of experience in terms of another. It is through metaphor that we conceive one thing in terms of another. They claim that metaphor is essential to human understanding as it is its primary function. Lakoff and Johnson (2003)

believe that any account of understanding will be incomplete without metaphor. According to Gibbs (1992), Lakoff and Johnson believe that there is no difference in comprehension of metaphor and literal language because metaphorical mappings are involved in the working of our conceptual system.

### **2.5.2.3 CMT and metaphor meaning**

Traditional philosophy denies that metaphors have any meaning. Davidson (2001) claims that "metaphors mean what the words, in their most literal interpretation, mean, and nothing more" (p. 245). Under the influence of objectivist philosophy, contemporary philosophers and linguists assume that a theory of meaning is founded on a theory of truth which is independent of how people understand and use language. According to this view, meaning is objective and disembodied. They are concerned only with the meaning of the literal language and believe that the theory of meaning is restricted to giving an account of meaning for literal language only by supplying truth conditions for the utterances. They claim that sentences are abstract objects with inherent structures and are assigned objective meanings according to the convention of the language. Meanings of sentences and concepts can be understood from their compositional parts by analyzing complex structures and concepts into indecomposable primitives which are the ultimate building blocks of meaning (*the Building Blocks theory*). A person will understand the meaning of the parts of the sentence if he understands the objective truth conditions. According to Lakoff and Johnson (2003), this notion of communication is a version of the Conduit metaphor, locating meaning in the words, while a speaker transmits a message through them with a fixed meaning to the hearer. Subjective elements like context, culture and human understanding have no place in this scheme. Davidson (1978) claims that, independent of usage in context, words and sentences can be assigned meaning and truth conditions. This objectivist account of meaning is more clearly argued by Lewis (1972) who says that conditions are determined by the meaning of a sentence to establish whether the sentence is true or false.

The concept of meaning that is objective, clear and precise accords no place to metaphor in its scheme of meaning and truth because it thinks that metaphor does not fulfil the criteria. It rejects the idea of metaphorical concept or metaphorical meaning because seeing one thing in terms of another does not fulfil the conditions of objective truth. For them, objective meanings cannot be metaphorical. They also reject the notion of literal metaphor as a contradictory term as literal language cannot be metaphorical.

CMT rejects these claims and asserts that human understanding, context and purpose are important factors in understanding meaning. The notion of communication as a transfer of objective meaning from the sender to the receiver is incorrect as context and understanding are necessary to determine meaning. They even claim that, without context, a sentence may not be able to convey any meaning and even the same sentence may have different meanings for different people. Meaning is not disembodied and impersonal; a sentence is meaningless unless someone understands it. According to CMT, what is meaningful to a user of language is a matter of what has significance for him/her. This depends not only on the rational knowledge of a person but also on his experiences in the past, his intuitive insights and his values and feelings (Lakoff & Johnson, 2003). According to CMT, meaning is expressed through conceptual structure and conceptual structure is mostly metaphorical and grounded in cultural and physical experiences.

### **2.5.3 Some Basic Terms and Tenets of CMT**

The concept of metaphor presented by Lakoff and Johnson was revolutionary in the sense that metaphor was seen as not just confined to being just a rhetorical or stylistic device but a mental construction that plays an important role in structuring our experience and shaping our reasoning and imagination (Sfard, 1994). In light of Lakoff and Johnson's views, the basic tenets of CMT are summarized in the succeeding section below.

### **2.5.4 Metaphorical Structuring and Cross-Domain Mapping**

Lakoff and Johnson (1980) say that "the essence of metaphor is understanding and experiencing one kind of thing or experience in terms of another" (p.5). This process involves mapping from the source domain to the target domain. Deignan (1999) explains mapping as a set of systematic correspondences from the source to the target concepts in such a way that the conceptual elements from the source concept correspond to elements from the target concept. Cameron (2003) explains domains as the ideas or semantic field that are being referred to by lexical units which is not merely a collection of concepts or entities but also consists of relations between the entities. According to CMT, argument and war are different concepts but we talk about the concept of argument in terms of the concept of war. We use the structure of war like attacking, defending and counter-attacking from the concept of war to talk about argument. Both are different types of activities with different types of action involved i.e., one involves physical actions, the other verbal. But the concept of argument is

partially structured through metaphor and understood, talked about and performed through the structure of war. In this way, not only the concept but also the activity is metaphorically structured, and accordingly, the language is also metaphorically structured through this metaphor (Lakoff and Johnson, 1980). This explains their claim that our conceptual system is structured metaphorically. However, metaphorical structuring is partial, not complete; one concept is partially structured in terms of another. This makes us focus on one aspect of a concept that is coherent with the metaphor and hide or downplay others that are not coherent (Kövecses, 2010). In the example of ARGUMENT IS WAR metaphor, the aspects coherent with war are highlighted while other aspects like cooperative aspects of arguments are ignored. In the above example, *Argument* is a different type of activity from *War* but it is structured in a partial manner in terms of war as only selected elements from the concept of *War* are employed to structure *Argument*. According to Lakoff and Johnson (2003), the two criteria for a concept to be considered a metaphor are that they involve different kinds of activity and that the structuring is partial.

### 2.5.5 Systematicity in Metaphorical Concept

Lakoff and Johnson argued that since metaphorical concepts are systematic, the language used to express them also follows systematicity. The correspondence between two concepts in a conceptual metaphor is not arbitrary but systematic. The metaphor, ARGUMENT IS WAR, is not restricted to words only, but it is also present in the concept of argument and we talk and act the way we conceive things. According to CMT, part of the network from the concept of battle partially structures the concept of argument and gives us various metaphorical expressions in language from the vocabulary of war to systematically talk about the battling aspect of argument, e.g., *attack*, *strategy*, *defend*, *new line of attack*, etc., there is systematicity in the language because there is systematicity in the metaphorical concept. Because of this systematicity, we can use linguistic expressions from one domain (for example, war) to express concepts in another domain (for example, argument) in a systematic way, not as isolated instances but as part of systematic metaphorical concepts. Because of the systematicity of these metaphors, they form a coherent system within a culture rather than some isolated or random cases. CMT says that mapping usually follows the principle of unidirectionality i.e., the source and the target domains are usually not reversible. We talk about war as an argument but not about an argument as war. Another feature of this

mapping is that it usually goes from the more concrete or clearly delineated domains to the more abstract or less clearly delineated domains (Kövecses, 2010).

### **2.5.6 Types of Metaphors**

Lakoff and Johnson (1980) have categorized metaphors into three kinds that are *structural*, *orientational* and *physical* (also termed as *ontological*). However, later, they argued that their division into three types is artificial as all metaphors are structural because they involve structuring from one concept to another; all metaphors are ontological in the sense that they create entities in the target domain and the majority of them are orientational because they involve mapping of orientational image-schemas.

#### **2.5.6.1 Structural Metaphors**

Structural metaphors are those metaphors that involve metaphorical structuring from one concept to another (e.g., *Love* is structured in terms of *Journey*), using the same natural dimensions of experiences like parts, stages and purposes in both source and target concepts i.e., they are internally consistent and project the internal structure on the target concept from the source concept (Lakoff and Johnson, 2003). This usually involves using a concept from one domain to structure a concept from another domain. According to Lakoff and Johnson (2003), these types of metaphors usually have several ontological metaphors as sub-parts.

#### **2.5.6.2 Physical Metaphors**

Physical or ontological metaphors are the most basic type of metaphors where an entity or substance status is projected upon things that inherently do not have that status (Lakoff and Johnson, 2003). These metaphors are used to project non-physical concepts like events, emotions, activities, ideas, etc., as physical entities, usually involving the use of concepts from physical domains to structure concepts from intellectual or cultural domains. According to Lakoff and Johnson (2003), in these types of metaphors, events and actions are typically conceptualized as objects, activities are conceptualized as substances and states are conceptualized as containers. Usually, the nonphysical concept is conceptualized in terms of the physical and is typically used for referring, quantifying or identifying purposes and causes. They, in themselves, serve only a limited role in comprehension and usually go unnoticed, but being part of many structural metaphors as their sub-parts, they help in further elaboration of concepts through structural metaphor (Lakoff and Johnson, 2003).

### 2.5.6.3 Orientational Metaphor

Orientational metaphors make use of spatial orientation like *up/down*, *central/peripheral*, *on/off*, *front/back*, *deep/shallow* etc., by organizing a complete system of concepts with respect to one another. These metaphors give spatial orientation to a concept, for example, the metaphorical concept, CONTROL IS UP finds expressions in English in several ways like No one is above the law., He/she is working under the Constitution. etc. According to Lakoff and Johnson (1980), these metaphorical orientations are not arbitrary; rather these reflect our physical and cultural experience. Erect posture or being above someone is usually associated with more control. Similarly, an erect position also indicates a positive emotional state while a drooping posture symbolizes a sad state, thus giving rise to the conceptual metaphor, HAPPY IS UP. There may be cultural differences in metaphorical concepts; for example, the future time is conceptualized as in front of us in some cultures, while in others cultures, it is visualized in the back.

### 2.5.7 Grounding – How we understand concepts

Lakoff and Johnson (2003) claim that most of our normal conceptual system is metaphorical in the sense that we understand these concepts partially in terms of others. Some concepts, particularly related to our spatial orientation like *up/down* are more fundamental because of our experience with our physical environment but even they emerge from a collection of several motor functions performed constantly by our bodies. They are based on a correlation between the experience of sensory-motor experience and the abstract subjective experience (Kövecses, 2010). Being more physical than other cultural experiences, they provide the basis for understanding the less delineated concepts. These have been discussed in the next section.

#### 2.5.7.1 Emergent Concepts

According to Johnson and Lakoff (2003), most of our conceptual system is metaphorically structured, implying that, we understand most concepts partially in terms of others. However, some concepts emerge directly, as a result of our constant interaction with our physical environment and our spatial experiences, within a wide background of our assumptions, cultural presuppositions, values and attitudes. They include simple spatial concepts like *up/down*, *front/back*, *near/far*, *in/out*, etc. We understand them directly as a result of constantly performed motor functions because these concepts are more sharply

delaminated than other concepts. Similarly, concepts like *Objects*, *Substances* and *Containers* emerge directly as a result of our experience with the environment. We conceptualize ourselves as entities separate from others; as containers we visualize ourselves with inside and outside; and as substance, being made up of flesh and bone. We also experience many external things as entities and containers through our sight and touch. Same way we project boundaries on things that do not have them and conceptualize them as entities and containers. They call concepts like these *emergent concepts*.

### 2.5.7.2 Emergent Metaphorical Concepts

According to Lakoff and Johnson (2003), some experiences like our emotional experiences, though basic like spatial or perceptual experiences, are not sharply delineated and defined as conceptual structure for our emotions do not emerge from emotional functioning alone. We, therefore, conceptualize emotions in more sharply delineated terms because of the existence of systematic correlations between emotions (like happiness) and sensory-motor experiences (like erect posture) and extend the same to other concepts related to our general well-being like *life*, *health*, *control*, etc. to get orientational metaphorical concepts (e.g., HAPPY IS UP). Similarly, things like *forests*, *clouds* etc. do not have boundaries, but we often map boundaries upon them and conceptualize them as containers or entities to get ontological metaphors. Likewise, *actions and events* are also mapped with bounded time spans to project them as *container objects*.

Similarly, structural metaphors are also grounded in a systematic correlation within our experience. This way, one highly structured and clearly delineated concept is used to structure another. In the oft-quoted metaphor, ARGUMENT IS WAR, the argument is structured in terms of war. The metaphor not only maps the concept of war to arguments but it also conceptualizes the manner we carry it out, based on grounding in our experience of physical combat. They are examples of *emergent metaphorical concepts*. Lakoff and Johnson (2003) say that metaphorically emergent concepts and directly emergent do not have clear distinctions. Even basic concepts like causation are not purely metaphorical or purely emergent. Instead, there is a directly emergent core which is mapped metaphorically.

### 2.5.7.3 Experiential Gestalt

Lakoff and Johnson (2003) suggested the idea of *experiential gestalt* in response to the building-block theory to view concepts as a cluster of other components to form a whole



or gestalt that is more basic to our experience than its parts. According to Gibbs (1992), Lakoff and Johnson believe that objects, actions and events are comprehended through experiential gestalts (which may be explained as structured and meaningful wholes in our experience). They believe that meaning begins at the level of experiential gestalt that structures our experiences and gives them coherence. Unlike building blocks, experiential gestalt is a complex of properties taking place together that is holistic, indefinitely analyzable and more basic to our experience than their separate occurrence. They further explain experiential gestalt as multi-dimensional structured wholes whose various dimensions develop directly from our experience. In the metaphor ARGUMENT IS WAR, part of the gestalt of war is superimposed on the corresponding structure of argument and thus argument is understood in terms of fighting when the gestalt of war fits to our perception and action in conversation.

### **2.5.8 Overview of the Concept of Metaphor in the Light of CMT**

Unlike, the classical account of metaphor, which viewed metaphor to be based on similarities, CMT gives less importance to similarities and more to recurring correlations in experience and in some cases to perceived similarities by highlighting common features or structures between two different concepts (Semino, 2008). Metaphor in CMT is considered central to thought and language, not a peripheral feature of language as claimed by the decorative or classical view of metaphor. Deignan (2005) has extracted the following tenets from Conceptual Metaphor Theory:

1. Metaphors structure thinking.
2. They structure knowledge.
3. They are central to abstract language.
4. They are grounded in physical experience.
5. They are ideological.

The present study aims to analyze legal discourse in the context of Pakistan in the light of these main tenets of CMT and explores the presence, frequency, source domains and role of metaphors in the selected discourse.

## 2.6 CMT and New Developments

Since Lakoff and Johnson's (1980) initial work on CMT, there has been tremendous interest in the cognitive aspect of metaphor and it has been researched and studied from multiple dimensions including psychological, neural and cognitive aspects. The theory has been further reviewed and modified even by the proponents themselves and other philosophers, linguists and psycholinguists. Some of the prominent works on metaphor include Lakoff and Johnson (1999), Kövecses (2010), Johnson (1987), Lakoff and Turner (1989), Grady (2007), Gibbs (2011), Lakoff (1993), Ortony, (1993), Fauconnier and Turner, 1994 & 2001 (Conceptual Blending), Grady (1997a; 1997b), and Steen's three- dimensional approach (2008 & 2011), etc.

### 2.6.1 Conceptual Blending or Blending Theory (BT)

Fauconnier and Turner (1994 & 1998) forwarded the theory of conceptual blending or conceptual integration, using several aspects of CMT, especially its concept of mapping, basing their concept of blending on the earlier works of scholars like Koestler (1964), Goffman (1974), and Kunda et al., (1990) and Turner (1991). Fauconnier and Turner (1998, p. 184) define blending a "powerful, systematic, and commonplace cognitive operation" consisting of networks of input, generic and blended spaces and call it a "basic mental operation" that gives rise to new meaning and conceptual compressions that help in memory and manipulating diffuse ranges of meaning. Unlike the concept of target and source domains in CMT, the basic elements of cognitive organization in blending are mental spaces (Grady et al., 1999). Fauconnier and Turner (1998, p. 137) explain mental spaces as "small conceptual packets constructed as we think and talk, for purposes of local understanding and action". Grady et al., (1999) call it a short-time construct. According to Fauconnier and Turner (2003), the most basic conceptual integration network is made of four connected mental spaces: two of them are input spaces, one generic space and one blended space. The structure of two input spaces gives rise to the generic space and contains what is common to them at any time in the development of the conceptual integration network. These partially matched input spaces selectively project to another richer space i.e., the blended space through the process involving composition, completion and elaboration, leading to the emergent structure that is not there in any of the input spaces. Fauconnier and Turner (1994 & 2003) say that blending is a dynamic and online process that can happen repeatedly in the same network.

BT upholds the claims made within CMT and shares many of its aspects and upholds the claims that mapping and projection play an important role in the structuring of reasoning and meaning but it goes a step further and focuses on additional spaces which do not exist directly in the input domains (Fauconnier and Turner, 1994). According to Fauconnier and Lakoff (2009), conceptual blending and metaphor theory are not competing views; rather they are mutually reinforcing and claim that "there would be no conceptual blending framework without conceptual metaphor theory" (p.397). However, the proponents of BT claim that its scope is wider than CMT. According to Fauconnier and Turner (1994), in addition to metaphor and analogy conceptual integration networks are also prominently present in counterfactuals, event integration, grammatical constructions, conceptual change and literary and rhetorical invention etc. While commenting on the merits of the Blending theory, Fauconnier and Turner, (1994) claim that in metaphor and analogy, there is only one-way projection i.e., from source domain to target domain while blending theory allows for backward projection as well and gives a more unified general conception of meaning construction. Grady et al., (1999) have highlighted the main differences between CMT and BT by saying that there is projection between two mental representations in CMT, while blending theory (BT) allows more. Similarly, CMT is a directional phenomenon, while BT is not. Another difference highlighted by them is that blending is an online process covering both entrenched metaphors and short-lived novel conceptualizations whereas CMT covers only entrenched, regular and stable conceptual relationships. The proponents of BT claim that the four-space model helps in a better explanation than the two-domain mapping of CMT and accounts for the phenomenon that is ignored or hidden in CMT. However, the present study focuses only on CMT and analyses metaphor in discourse in the light of the CMT.

## **2.6.2 Critique of CMT and its Methodology**

After Lakoff and Johnson's revolutionary work, metaphor is no longer considered a mere stylistic issue but something deeply connected with cognition and knowledge representation. However, the myriad of research in the past few decades on metaphor has also exposed some weak links and claims made within CMT and consequently exposed it to criticism and skepticism. In addition to the critique of CMT towards its claim of cognitive status for metaphor, as discussed in the previous sections, concerns regarding methodological and empirical issues in the cognitive account have also been raised (Urbonaitė, 2017). CMT has been criticized for its reliance on invented examples instead of instances from language in

use. According to Gibbs (2010), metaphor research should be ecologically valid and its claims should not be based on constructed and decontextualized examples. Koller (2008) also emphasizes investigating large amounts of authentic data for metaphor. Deignan (2008) points out that CMT is based mostly on isolated and out-of-context examples and observes that semantic relations between metaphorical uses are not as clearly structured as is claimed by proponents of CMT. She considers metaphor a textual, social and cognitive phenomenon and believes that linguistic context, genre, cultural, and ideological factors affect metaphor use. Cameron and Deignan (2006) observe that CMT's mistaken view of metaphor as a matter of mind consisting of a set of fixed and stable mapping between two conceptual domains deliberately shifts the attention from language. They further note that in CMT, linguistic expressions are cited as evidence only for cognitive links rather than of any importance in their own way. Problems and difficulties are faced when CMT is applied to empirical data from discourse where tenets of CMT are unable to account for issues like grammatical and lexical restrictions on linguistic metaphors, uneven and inconsistent distribution of metaphors and cultural differences in using the source domains.

Gibbs (2009) also criticizes the notion that metaphors can be pulled out of discourse for analysis to infer conceptual metaphors. He claims that metaphors are not decontextualized entities and that they cannot be studied in isolation, apart from context. For Gibbs, metaphors are products as well as creators of discourse; hence they are inseparable from context and discourse. Metaphors do not arise from just individual thinking i.e., conceptual metaphor because thought and language are inseparably dependent on social-cultural context that is inseparable from cognition, in the same way as metaphor and discourse are inseparable. Discourse context functions as the source of metaphor and these social-cultural and discursive roots are revealed when metaphors are studied in discourse. Studying metaphors without paying attention to the positioning of metaphor, their frequency in discourse and their relations with other metaphors in discourse may no longer be acceptable (Gibbs, 2009).

Recently a series of observations have been made about CMT by researchers and scholars including Deignan (1999); Steen (1999); Ritchie (2003); Semino (2005); Pragglejaz Group (2007); Zinken (2007); Stefanowitch (2007) and Kövecses (2009) criticizing Conceptual Metaphor Theory for a variety of reasons. Some of these objections include: -

- a. CMT relies mostly on the use of “artificially constructed”, “decontextualized”, introspection-based, and “invented” examples of metaphors to support of its

claim and ignores the use of text, linguistic data, context and discourse for conducting empirical research where metaphor actually occurs (Deignan, 2005; Cameron and Deignan, 2006; Gibbs, 2007; Semino, 2008; Cameron et al., 2009; Kövecses, 2009; Gibbs, 2009; Zinken and Musolff, 2009; Steen et al., 2010; Gibbs, 2011; Musolff, 2012; Musolff, 2017).

- b. CMT focuses on metaphor in thought only i.e., conceptual metaphor and ignores linguistic metaphor as claimed by Lakoff and Johnson (1980) that thought is basic while language is secondary. (Cameron and Deignan, 2006; Zinken and Musolff 2009; Cameron et al., 2009)
- c. Some of the tenets of CMT like its claim of static and fixed mapping between domains and its lack of account for metaphorical creativity and novel mapping in literal discourse face difficulty when put to test in real language through empirical discourse data (Cameron and Deignan, 2006; Zinken and Musolff, 2009; Cameron et al., 2009).
- d. According to Cameron and Deignan (2006), by focusing just on the cognitive aspect of metaphor, the cognitive approach to metaphor study intentionally shifted the attention away from language. Despite the fact that it uses linguistic examples to support its claims, these linguistic evidences were cited for cognitive link rather their own importance.

To cater for these weaknesses and to study metaphors in natural language instead of relying on invented or introspective examples, scholars have recently been advocating the study of metaphor in discourse from the real world and the use of the Corpus approach for this purpose (Urbonaitė, 2017). Despite criticism from different quarters, CMT has paved the way for research from a variety of dimensions and now metaphor has become a focus of multidisciplinary and interdisciplinary research because all sorts of topics in contemporary academia have been made the subject of metaphor research (Gibbs, 2008). Metaphor is now being studied from a variety of perspectives by scholars and researchers from different fields. With the emergence of discourse approaches and the discipline of Corpus Linguistics towards the end of the 20<sup>th</sup> century, the focus is now on real discourse and authentic linguistic evidence with a more systematic and organized research methodology that will be discussed in the next sections. The present study is also an attempt to analyze authentic legal discourse to ascertain the frequency and types of metaphors in light of the claims made by the proponents of CMT.

## **2.7 Discourse Approach to Metaphor**

In the past three decades, the bulk of metaphor research (including Cameron 2003; Deignan 2005; Ritchie 2003; Semino 2005 etc.) has focused on metaphor in language following the development of discourse and corpus approaches (Cameron and Deignan, 2006). Semino (2008, p. 1) defines discourse as the naturally occurring language use, focusing on real language which is produced and interpreted in particular circumstances and for a particular purpose. Cameron (2003, p. 3) says that discourse is “language in use” and that “Language in use, including metaphor, always occurs in a specific context, where it is produced and made sense of, by specific people” and argues that a “discourse perspective attempts to keep metaphor contextualized”. A large number of studies are now adopting a discourse approach to the study of metaphor. Cameron and Deignan (2006) adopted an emergentist perspective on metaphor that combines the linguistic and conceptual with the socio-cultural aspects of metaphor in use to study evolving patterns of metaphor during discourse resulting from two-way interaction between language and thought. Instead of only a cognitive account, this study claims to explain the linguistic, pragmatic, semantic and affective aspects of metaphor as well because they believe that beliefs, emotions, values and attitudes of the participants in discourse play a vital role in the emergence of a particular form of metaphor. Similarly, Semino (2008) adopted authentic discourse to study the affective functions of metaphor along with linguistic and conceptual aspects by considering the textual and intertextual patterns. Cameron et al., (2009) termed their approach a discourse dynamics approach to investigate social phenomena. In this approach, linguistic metaphors are analyzed for systematicity and patterns on the basis of information obtained about participants' ideas, attitudes, and values. The present study adopts the discourse approach by exploring texts from real discourse in a particular context. Similarly, by taking into consideration the linguistic, semantic and affective aspects of metaphor in discourse and exploring the beliefs and attitudes of the users of language, this study also shows a resemblance to the approach adopted by Cameron and Deignan (2006).

## **2.8 Corpus Approaches to Metaphor Study**

Development in computer technology in the past few decades led to the emergence of corpus approach to the study of metaphor. This approach is advocated for its basis in the real and authentic language in context. Corpus has been variously defined as any large collection of written or transcribed text, collected from natural language and stored in machine-readable

form, serving as the basis for linguistic analysis and consists of text types from a single or multiple author(s) and source(s), in contrast to the type of text that is invented to illustrate some point about language (Meyer, 2002; Charteris-Black, 2004; Deignan, 2005; Kennedy, 2014). Corpus (plural corpora) is usually stored on computers in the form of a large collection of text that can be accessed using various types of software programmes. These software packages are usually concordance programmes that enable the researchers to study word form by observing its citation in a linguistic context and examining their different patterns of structure and collocation (Deignan, 1999). In the field of metaphor studies, according to Deignan, (2005), the theoretical approach is usually supported by models of cognitive linguistic research, developed by Lakoff and Johnson (1980) and later by Gibbs (1994).

Corpus studies are favoured by linguists and researchers with several proven advantages, in comparison to studies based on intuition. Sinclair (1991) questions the authenticity of human intuition about language and has observed that there is a huge and systematic contrast between observations about language reported by people and the objectively compiled evidence from texts. Deignan (1999) believes that corpus studies can provide valuable insights by giving us information about the frequency and use of linguistic metaphors in discourse which is otherwise difficult to arrive at. It may reveal unnoticed facts about the use of words and new insights into the underlying patterns that help us develop our understanding of metaphors (Deignan, 1999 & 2008). Deignan (2005) also holds that corpus analysis is faster in detecting patterns of usage than using intuition or analyzing individual text because words and expressions are automatically retrieved and sorted from the corpus by a computer which minimizes chances of subjectivity in analysis. Wikberg (2008) claims that corpus data offers the advantage of studying authentic examples in their context that can help in deciding the figurativeness or otherwise of a word or phrase. Through this approach, we can study metaphorical meaning in an authentic context, their occurrence tendencies, their functions and the collocational profile of metaphorical expressions. He argues that, combining CMT with cognitive semantics and techniques of corpus studies, we can now explore the use of metaphor in specific domains and their representations in different genres which would not be possible without the help of electronic corpora.

Discussing the advantages of corpus studies, Deignan, (2005) holds that contemporary theories of metaphor are based on intuitively derived examples or invented text containing examples that are rarely or never found in the corpus. Sometimes these studies are based on a

very small collection of texts whose findings cannot be generalized. There are often discrepancies between the assumptions of the researcher and the corpus analysis of data. Therefore, she advocates the use of naturally occurring texts, drawn from large computer-based corpus from different sources, to study typical language patterns to investigate various aspects of metaphor. This type of study can reveal information about a word form regarding its frequency of occurrence in its metaphorical and non-metaphorical senses. Similarly, other aspects of metaphor like syntactic and lexical relations and patterns and collocational patterns are revealed through corpus studies which are difficult to access in any other way (Deignan, 2005, 1997). Deignan (2008) believes that corpus linguistics has revealed many other grey areas in aspects of language claimed by CMT as it has shown that the concept of mental mapping is not sufficient alone to explain patterns found in language and that other factors like social, cultural and ideological aspects and linguistic context also play an important role. Similarly, in comparison to CMT, corpus studies have offered better explanations for phenomena like collocates and fixed expressions, the role of genre and purpose of the text in determining the choice of metaphor and the role of culture in the choice of source domain. Likewise, corpus studies also provide information about the collocational tendencies of words and their lexico-grammatical configurations in metaphor (Deignan, 2005). Commenting on the advantages of Corpus Linguistics, Baker (2010) says that, unlike artificial or introspectively based examples, corpus analysis is based on empirical and inductive analysis that relies on authentic examples from real language to derive rules, explore trends in language and quantifies linguistic patterns that lead to more solid conclusions.

The use of computer software helps in concordance and showing words in context but it is the researcher who has to decide what to examine and how to interpret the data. Deignan (1999) says that, at the very outset, a researcher has to provide his definition of metaphor according to his interest in research and then use his intuition to decide whether a word is metaphorical or not according to that definition. This definition should cater for issues like the treatment of dead metaphors, figurative fixed strings i.e., idioms and treatment of metonyms. Further, intuition is also required to determine whether a metaphor in language is a realization of a specific conceptual metaphor (Deignan, 1999).

A host of studies have been undertaken in the past three decades, using corpus techniques to examine various aspects of metaphor in language including studies by Deignan (1997, 1999 a, b &c, 2005a, 2008), Boers (1999), Charteris-Black (2000 & 2004) and Semino



(2001 & 2002). According to Cameron and Deignan (2006), there has been a renewed focus on the language of metaphor that has been followed through a series of studies (e.g., Cameron 2003; Deignan 2005; Ritchie 2003, 2004; Semino et al. 2004; Semino 2005) since the late 1990s and 2000 onwards following the discourse and corpus approaches.

Deignan (1997, 1999, 2005, 2008) studied several linguistic metaphors using the British English Corpora to examine various aspects of metaphor including their syntactic patterning, paradigmatic/ syntagmatic relations, and affective meaning to observe how far a theory of conceptual meaning can explain issues like metaphorical meanings, lexical relations in meaning and their collocational and syntactic behaviour (Deignan, 1997). Deignan's (1997) study validated many of the claims of contemporary metaphor theory including the claim about the pervasiveness of metaphor in language and evidence for systematic relations between semantically related metaphors. Likewise, she found linguistic evidence for the assertions of Sinclair (1991), Ullmann (1962) and Lakoff (1987) regarding the polysemy of lexemes and observed that metaphor plays an important role in the development of polysemy (Deignan, 2005). However, her studies revealed many aspects which could not be satisfactorily explained by tenets of conceptual metaphor theory. She examined antonymy, synonymy and hyponymy between lexemes to determine whether the same lexical relations will be transferred from the source domain to the target domain as implied by Lakoff (1993), Lehrer (1978) and Kittay (1987) in The Invariance Hypothesis. Deignan (2008) says she observed a more complex system of mapping than claimed by this theory. Deignan (2005) also observed that, in contrast to claims of CMT, semantic relations between metaphorical senses are not very clearly structured, as she noticed that, instead of one-to-one mapping from one domain unto another in a consistent manner, there was evidence for mapping at the most generic level and patches of small-scale mappings within a general framework. Similarly, after examining syntagmatic relations between items used metaphorically, she observed a stronger tendency of metaphorical mapping in collocates of a lexeme. Deignan (2005) also noticed the tendency of words used as nouns in the source domain to be metaphorically used as verbs in the target domain. However, she observed that the contemporary view of mapping is not sufficient enough to account for the complex patterns as it does not predict syntactic changes accompanying metaphorical mapping (Deignan, 2005). She concludes that the theory of conceptual mapping explains some features of metaphor but fails to account for the complete data. She asserts that her findings are not inconsistent with the theory, but further explanation is required.

The same was also observed by Charteris-Black (2004) who noticed limited scope for Lakoff's (1993) claim about the nature of metaphorical mapping while observing that some limitations on linguistic metaphors found in the corpus are not explained by The Invariance Hypothesis. Charteris-Black (2004) analyzed various corpora consisting of manifestos of political parties in British, inaugural speeches of American presidents, finance and sports reporting and religious discourse including the Bible, Old Testament and the Koran to examine the use of metaphor. He concludes that metaphors play a vital pragmatic and ideological role in expressing evaluation and expressive meaning. In the American presidential inaugural speeches, he found that metaphors are generally derived from everyday experiences like, struggle, movement, belief, sensory and physical experiences and interaction with the physical environment. They seem to be aimed at establishing common ground with the voters through the choice of metaphors from domains of familiar personal and social experiences. In the analysis of sports reporting, he explains the use of the conceptual metaphor SPORT IS WAR by saying that it contributes to the hidden intentions of journalists. The possible reversal of the metaphor, i.e., FOOTBALL IS WAR might be used to conceal human sufferings that might be highlighted if war is considered as *illness*. He observes that conflict is pragmatically an effective source domain for both politicians and press reporting. In financial reporting, he noticed the generic conceptual keys that the economy is an organism or THE ECONOMY IS HUMAN suggesting that the economy is liable to vacillations and fluctuations in its physical and psychological health. It implies that bad market conditions are natural disasters and changes in the market are physical movements. He observes that the source domain of conflict is widespread in English discourse; conceptual metaphors like MARKET TRADING IS PHYSICAL CONFLICT in the economics discourse comply with the conceptual metaphor POLITICS IS CONFLICT in political discourse and SPORT IS CONFLICT in sports reporting. While examining religious discourse, he observed that metaphors expressively convey the core values, beliefs, and philosophy of Christianity and play an important role in persuasive communication in the Bible. In the Koran, he observed that journey, weather, fire and light and plants are the most productive source domains of metaphor. In this regard, he also observed great similarities in source domains between the Koran and the Bible. He concludes that in religious texts, the cognitive and emotive impact of metaphor is more apparent than in other discourses.

Charteris-Black (2004) noted that prominent domains like *conflict, nature, journeys, buildings, the human body, fire and light, weather and the physical environment* are common

domains in all types of discourses he examined. He concludes that the selection of metaphor in a discourse is motivated by "the rhetorical aim of persuasion" and ideology (p. 247) and claims that analyzing metaphors in a corpus through Critical Metaphor Analysis helps in a better understanding of the conceptual level of metaphor and their ideology than provided by cognitive semantics. Charteris-Black (2004), therefore, advocates incorporating a pragmatic perspective to interpret metaphor choice in a specific discourse context. An important aspect of metaphor is moving or transferring the hearer and is used for persuasion in religious discourse. Metaphor thus plays a role in the construction of ideology through rhetorically arousing emotions to persuade.

## **2.9 Metaphor in the Legal Discourse**

The discourse approach to metaphor analysis is extending its horizons to every field of naturally occurring domains. Recently, analysis has been undertaken in almost all types of discourses including political, economic, academic, religious, scientific and legal discourses. In the next section of the chapter, I will discuss the nature of legal discourse and various relevant studies from the field of law as the present study focuses on the analysis of metaphor in legal discourse.

### **2.9.1 What is legal discourse?**

Laws are formulated in any society to guide human behaviour and regulate relations among them (Cao, 2007; Berūkštienė, 2016). A major part of the functions of laws is realized through language, where it serves as a medium, process and product in this course of regulating social behaviour (Maley, 1994). In the past few decades, the language used in legal matters has been investigated for its various aspects. Language of legal discourse has been labelled with a variety of names based on different criteria; for example, 'language of the law' (Mellinkoff, 1963; Bhatia, 1983), 'legal discourses' (Maley, 1994) and 'legal language' (Curzon, 1996).

Semino (2008, p. 1), defines discourse as "naturally occurring language use: real instances of writing or speech which are produced and interpreted in particular circumstances and for particular purposes." According to Halliday and Hasan (1990), discourse is a text in a specific context. On this criterion, texts in legal context may be regarded as legal discourse consisting of various text types and genres, for example, constitutions, statutes, judicial texts, judgments, summons, jurisprudence, reference works, legal doctrine and wills and contracts.

According to Berūkštienė (2016, p. 95), any text is a legal text "that is produced in legal language and/or used by specialists in law as well as non-specialists for legal purposes in legal settings". She further states that "legal discourse is made of texts falling under different text types which are further classified into genres" (p. 94). These text types and genres include legislation, court judgments, agreements, academic texts, and wills etc. Curzon (1996) considers legal discourse as a cover term for all types of texts/speech produced as part of the judicial process and it encompasses language registers and genres used in matters related to law. He further says that any text may be considered a legal text if it is using a legal register, even without any knowledge about its genre. Based on pragmatic criteria, legislations, contracts, judgements, wills and law textbooks are types of different genres of legal discourse as they serve specific purposes, while, the term legal register distinguishes legal texts from non-legal texts based on lexical features like words and phrases peculiar to them (Curzon 1996). According to Zhenhua (2016), the term legal discourse is used to refer to the language used in the field of law where the common core meaning of the language is enriched with the ideational meaning of the law and reflects the values, proficiency, intentions and beliefs of the people involved in undertaking legal activities. Maley (1994) divides legal discourse into four types; they include Judicial discourse (judicial decisions), courtroom discourse, the language of legal documents (also legislative discourse) and the discourse of legal consultation.

In this study, following Curzon (1996), the term legal discourse will be used to refer to the discourse aspect of the various genres discussed above. However, a more general term, the language of the law denoting a speech pattern of language with its own identity will be used following the footsteps of Mellinkoff (1963), to discuss its lexical and syntactic features.

## **2.9.2 Linguistic features of the language of the law**

Language of law may be regarded as an example of Language for a Special Purpose (LSP) (Trosborg, 1995), because of the abundance of technical vocabulary and specific style; in fact, Lisina (2013) calls it the oldest representative of LSP. The language used in law is often characterized by complex and archaic vocabulary and complex syntax that renders it difficult to understand. This type of language is considered very complex and different from other forms of formal and informal languages based on its distinctive structural, functional, stylistic, discourse and lexical characteristics. According to Mellinkoff (1963), the language of law consists of distinctive words, phrases, meanings and modes of expression, use of

redundant words following certain mannerisms of composition and is often wordy, unclear, dull and pompous. Tiersma (2003) also agrees with Mellinkoff on these features of the language of law. According to Šarčević (2000), legal texts are produced in a special language following special semantic, syntactic and pragmatic rules. Lisna (2013) thinks that legal language is restricted in form and content and follows a conservative and established formulaic pattern that has been tested for years by law professionals with safety, avoiding the risk of "unsuspected deficiencies" (Crystal and Davy, 1969, p. 194) associated with the new formulation.

### **2.9.2.1 Lexical features of the language of the law**

Several scholars (including Mellinkoff, 1963; Crystal and Davy, 1969; Bhatia, 1987; Goodrich, 1992; Šarčević, 2000; Alcaraz Varo and Hughes, 2002 and Mattila, 2013) have studied and highlighted lexical features of legal language. They conclude that legal discourse is characterized by a distinctive vocabulary that differentiates it from other varieties (Berūkštienė, 2016). The lexis of legal language is specific and highly technical (Lisina, 2013). Alcaraz Varo and Hughes (2002, p. 8), have mentioned "stiff formality" and "downright pedantry" as characteristic features of the lexicon of legal language. Some of the other prominent lexical features of legal language, highlighted by scholars (e.g., Mellinkoff, 1963; Berk-Seligson, 2002; Berūkštienė-2016) include: Latinisms (*de facto, prima facie, de jure*), high frequency of French words/phrases (*damages, salvage, plaintiff*), fossilized expressions (*hereinafter, thereby*), reduplication (*null and void, false and untrue*), frequent uses of performative verbs, (*agree, believe, undertake, admit*), archaic diction, abundant technical vocabulary, use of common words with their uncommon meanings, use of words with flexible meanings (*we'll see, adequate, apparently*), high frequency of formal words, attempts at extreme precision of expressions and colloquialisms and euphemisms. Mattila (2006) has highlighted the presence of polysemous vocabulary i.e., words with multiple meanings in the language of law. Berk-Seligson (2000) also mentions the presence of vagueness and lack of specificity in the language of law. Mellinkoff (1963) highlights this fact by observing that legal language is characterized by deliberate choice of words and expressions having flexible meanings, despite its claim to be characterized with extraordinary precision and being unambiguous.

### **2.9.2.2 Syntactic features of the language of the law**

The syntactic structure of legal language is also distinctive and unusual. The most prominent syntactic feature of legal language is long and complex sentences that are often declarative and written in formal and impersonal style (Bhatia, 1993; Cao, 2007). Other peculiar features of the legal language include frequent use of complex prepositions (*in case of, in lieu of, in respect of*), restrictive connectors (*notwithstanding, subject to, whereas*) subordination, nominalizations, multiple negations, complex conditionals and hypothetical formulations and passive constructions (Quirk et al., 1972; Varo and Hughes, 2002; Berūkštienė, 2016).

### **2.9.2.3 Stylistic and discourse features of the language of the law**

The style and format of legal language are also distinctive, elaborate and formulaic, following a standard format regarding the organizational plan, paragraphing, numbering, spacing and punctuation and marked by stiffness and formality, according to the genre of the text (Berūkštienė, 2016; Alcaraz Varo & Hughes, 2002). According to Gibbons (2004, p. 286), "the highly institutionalized and sometimes ritualized discourse of the law often follows regular patterns; organized sequences of elements which each play a role in achieving the purpose of the discourse". While commenting on the cases and judgements, Bhatia (1993) observes that they follow a typical organization of discourse which is unique to these genres.

Apart from vocabulary syntax, and stylistic peculiarities, Berk-Seligson (2000) also mentions that at the discourse level, legal English is characterized by two features; firstly, it lacks cohesion because there is limited use of anaphora and secondly, it is overly compact because of being loaded with a lot of information. These features often make the legal language difficult to understand for people outside the legal profession (Berk-Seligson, 2000; Gibbons, 2004).

## **2.10 Legal Discourse in the Context of Pakistan**

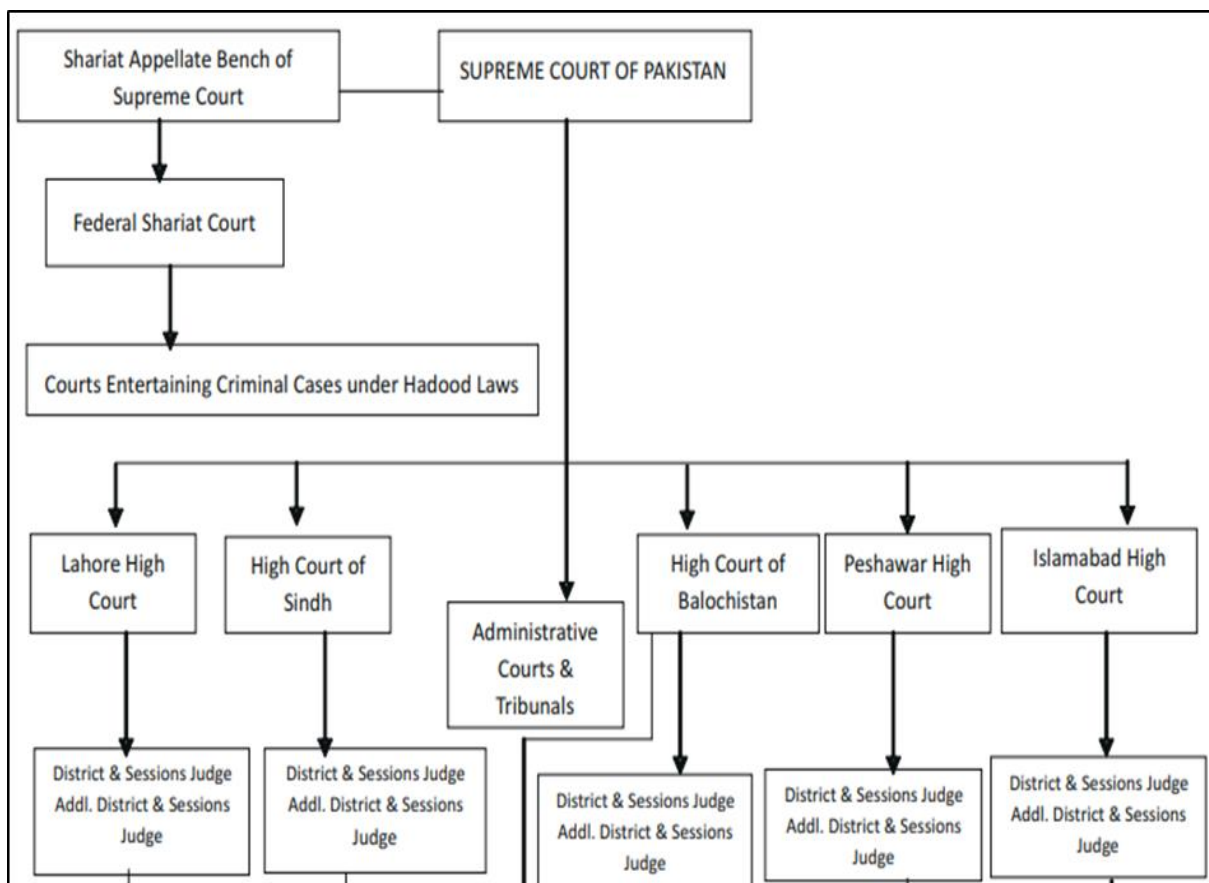
Before undertaking the analysis of metaphor in legal discourse in Pakistan, it is pertinent to discuss, in brief, in the next section, the nature of the legal language and legal system in Pakistan to provide a short background for the present study.

### 2.10.1 Legal system in Pakistan

According to Hussain (2015), the judicial system of Pakistan has evolved over centuries with its roots tracing back to the medieval period, passing through different stages of evolution and development, from the ancient Hindu kingdom, through the Muslim rule including the Mughal Empire and the British colonial administration to the post-independence era. However, the current legal system in Pakistan and its framework were inherited from the erstwhile legal system of the British Raj, which introduced the court system throughout India. After the independence of Pakistan, the same system continued to function with almost the same judicial structure of the courts, but with necessary modification and jurisdiction. However, the Federal Shariat Court was added in 1980 with jurisdiction to see the conformity of provisions of law with the teachings of Islam and to avoid confrontation with it (Hussain, 2015). The organogram of the court system in Pakistan is given in Figure 2.1.

**Figure 2.1**

*Organogram of Courts in Pakistan (Hussain, 2015, p.21)*



The Supreme Court of Pakistan is the apex Court in Pakistan with powers of original, appellate and advisory jurisdiction as the Court of ultimate appeal and ultimate arbitrator of law and Constitution (Hussain, 2015). Being a federal state, there are five High Courts at the provincial level and one in Islamabad Capital Territory (ICT) with specified powers of original and appellate jurisdiction. There are subordinate courts at the district and tehsil level whose functioning falls under the administrative control of respective High Courts. In addition, there are other courts and tribunals at federal and provincial levels, with specified jurisdiction, powers and functions. They include Special Courts (for control of narcotics, smuggling, and customs), Banking Courts, Income Tax Appellate Tribunal, Customs, Anti-terrorism Courts and Accountability Courts etc.

### **2.10.2 Language of the law in Pakistan**

Pakistan is a multilingual society with Urdu and English as the official languages of Pakistan while several other regional languages (including Punjabi, Pashto, Sindhi, Balochi, Saraiki, Hindko etc.) being spoken in different geographical regions of the country. Urdu is the national language of Pakistan and is commonly understood throughout the country. However, English enjoys a status of prestige in Pakistan which was inherited from its colonial past. English is the medium of education, especially at higher levels and routine official correspondence is widely carried out in English. After Independence, the British Common Law, which was in vogue under British rule, continued to be applied in the judicial system of the country, although amendments and modifications were added as per requirements from time to time and Islamic Sharia law was also introduced to the legal system in the 1980s (Hussain, 2015). Legal matters are routinely conducted in English, particularly at higher level and judges write judicial opinions in English, following the traditions of the British Common law regarding style of writing of judicial opinions (Ahmad, 2005). Many of the features of legal discourse are universal and can be found to varying degrees in legal texts in many languages of the world (Fletcher, 1987; Lisina, 2013). They are not even restricted to the language of law in countries where the official language is English as revealed by various cross-language studies (for example, Lisina, 2013). So, many of the features and characteristics of the legal discourse and the language of the law discussed earlier are shared by the language of law in Pakistan. However, it is not uncommon to come across references and quotations from Urdu, Persian and Arabic (mostly from the Quran and sayings of the Holy Prophet Muhammad, peace be upon him) in legal discourse in Pakistan.



## 2.11 Metaphor and the Language of Law

The language of law is usually considered precise and unambiguous with little space for misinterpretation and ambiguity. One of the qualities of legal lexis mentioned by Mellinkoff (1963, p. 11) is "extreme precision of expressions". Hence, it is commonly held that there is little room for figurative language especially metaphor in the language of law. According to Li & Xiao (2017), legal scholars believe that legal language is characterized by properties like professionalism, accuracy and objectivity and, hence, the use of rhetoric is believed to damage legal language by depriving it of its authority and the binding force. Mattila (2006) argues that linguistic clarity is an essential norm for legislation and mentions precision and accuracy as fundamental features of legal language. He believes that legal rules should be formulated in a language free of ambiguity to avoid arbitrariness. Mattila is satisfied that, modern legal language is neutral, formal, official and cold and, in comparison with the medieval times, contains rare examples of metaphor. As legal discourse aims to affect understanding rather than feelings and emotions, it should be free from affective and emotional elements and irrelevant associations that distract attention from the document or discourse (Mattila 2006). According to Winter (2008, p.263), lawyers and legal theorists take "a dim view of metaphor" under the influence of an objectivist epistemology. Those who acknowledge its role are worried by its subjective and poetic features which may compromise essential features like clarity and comprehensibility. Bentham (1931) also rejects the use of metaphors on the ground that they are not rational and considers them the antithesis of legal reasoning (Ritchie, 2007).

However, Newman (1999, p. 1375) claims that a "lawyer's principal working tool is the English language, in all its expressive glory" and that "one of the most powerful figures of speech available to judges and lawyers is the metaphor". He highlights the powerful influence of metaphors and says that if chosen well, they are a great help in understanding and advancing arguments and can be utilized by witnesses for vividly describing things for the jury and the judges to remember. Hibbitts (1994) claims that metaphors exist in all branches of discourse and are commonplace and omnipresent in law, used not just for rhetoric or semantic decoration. He believes that visual metaphoric American legal language is "too well-entrenched" and "too convenient to be universally or summarily abandoned". (Hibbitts, 1994, p.231). Winter (2001, 2007 & 2008) and Johnson (2001 & 2006) have also elaborately discussed the role of metaphor in legal reasoning and legal language. According to Winter

(2001), metaphors are as central to legal reasoning as they are to general reasoning. Similarly, Winter (2008, p. 364) claims that "metaphor is both a basic dimension of human reason and an indispensable tool of legal thought" and says that despite efforts to make the law free from figurative language, it could not free itself from it. Posner (1990) poses a pertinent question in this regard by asking if everyday thought and even science are influenced by metaphors, why law shouldn't be. According to Mannoni (2021), law is full of abstract concepts and metaphors; the very word legal which is derived from Latin *lex/legis* is metaphorical, meaning *bundle of tied sticks* and implies the binding nature of law. However, scholars have also warned against the negative effect of metaphor. Newman (1999) says that metaphors can be misleading, seductive and overpowering. He says that they highlight the similarities between things and entities but also mask differences between them. About the dangers of metaphors in law, Mannoni (2021) quotes Judge Cardozo who warned that "Metaphors in law are to be narrowly watched, for starting as devices to liberate thought, they end often by enslaving it" (p.1375). The same thought is echoed in the recent words of Volokh (2003, p. 53) who writes about metaphors in law that many of them "start by enriching our vision and ends by clouding it".

However, according to Jumanca (2012) despite bias against the presence of figurative elements in specialist vocabularies, figurative expressions have been part of the legal vocabulary since long. Ritchie (2007) also believes that in legal scholarship, the status of metaphor has increased and they are considered now fundamental for understanding and using legal concepts and forming and expressing intellectual imagination for legal reasoning and communication. Johnson (2006, p. 868) also expresses the same idea while stressing changing traditional views about metaphor, especially in legal discourse and says that metaphor is not a "mere figure of speech", rather it is a figure of thought, a figure of life, and a figure of value and that "we live, love, fight, and die by metaphors".

## **2.12 Recent Studies on Metaphors in Legal Discourse**

Research on metaphor in the language of law has attracted a lot of interest in the past two decades. A host of studies have shown that metaphor frequently exists in legal discourse for a variety of functions. I will discuss some of the relevant studies on the subject in this section.

Ozoliņa (2013) studied the use of metaphors in ten judgments from different levels of UK courts, exploring the frequency of metaphors in the discourse and the difficulties caused by them in translating the judgements into other languages. She observed that metaphors are frequently and effectively used in discourse and that their use helps in improving the quality of the language used in law. She also noticed that the tendency is growing. She observed that they are effective in English and the target audience benefits from them; however, they cause difficulties in translating the judgements into other languages.

Jumanca, (2012) analysed legal texts from different genres of legal discourse in English for the variety of metaphors in them. The text included laws and statutes, indictments and judgements and agreements and contracts. She observed that metaphor is a significant part of legal discourse. The study found that visual metaphors are more frequent than the aural or tactile metaphors in those texts. She also observed that several legal metaphors were derived from Latin as their main source. The use of metaphor based on the human body was found to be used broadly, representing knowledge and plurality and linking the discourse to reality. Human body parts or their functions, feelings and attitudes were found to be associated with law and its various manifestations. She classified the metaphors found in the study as reifying metaphors, sensory (modal) metaphors and orientational metaphors. She concludes that metaphor plays a significant role in understanding and rendering legal texts accessible to everyone.

Šeškauskienė and Stepanyuk (2014), while investigating the use of metaphor in spoken discourse in the courtrooms of the United States Supreme Court, assert that legal language, like other languages for specific purpose follows the general principles of language and human cognition. So, they conclude that legal language and reasoning are no exception to the principles of language claimed by Lakoff and Johnson (1980) about the pervasiveness of metaphor in language, thought and action and to the embodiment principle of Johnson (2007) claiming the dependence of our reasoning about abstract concepts on our bodily experiences. Their study consisted of data from transcripts of selected oral arguments about criminal cases in the courtroom, spanning over three years. The corpus examined consisted of 32000 words, where they found 887 instances of metaphorical expressions related to legal matters with some occurring multiple times in the text; overall 465 metaphorical expressions were found in the corpus. However, they found two metaphors, that is, LAW IS AN OBJECT and LAW IS A PERSON (possessing mental capabilities and abilities to speak and listen) as the most

prominent metaphors, indicating the main tendencies of metaphorical reasoning in spoken legal discourse. These metaphors also subsume other metaphors, like LAW IS A BUILDING and LAW IS A CONTAINER under the OBJECT metaphor and LAW IS PERSON ON A JOURNEY, LAW IS COMPETITION, LAW IS A TEACHER, under the PERSON metaphor. They observed that objectification is a distinct feature of legal discourse and found that predominantly (63.25%), law is conceptualized as a tangible object, possibly possessing shape, size, colour or made of material and parts or serving as a container. Otherwise, being less tangible, it may be extended in time. *Law as an object* is highlighted by the clue verbs like *give, take, get, obtain, take, accept, have* etc. They also found that law-related nouns frequently collocate with verbs *see* and *look*, pointing to metaphors SEEING IS UNDERSTANDING or SEEING IS KNOWING. They noticed that prepositions like *under, on, in, before* and *beyond* were the most frequent prepositions combined with law-related words and pointing to different conceptualizations of the object. For example, the frequently occurring phrase *under the law* highlights the power, importance and superiority of law. They conclude that metaphors in legal discourse carry mostly positive evaluative connotations and are used for rhetorical emphasis. These findings, they believe, suggest that legal discourse obeys general human cognitive processes of language and the presence of metaphor may reduce the distrust of people towards the rigid and formulaic language of the law.

Urbonaitė (2017) conducted a cross-linguistic study to analyze metaphors in written academic legal discourse consisting of articles related to criminal law, criminal justice and criminology. The corpus consists of 50 articles from English and 70 articles from Lithuanian with the corpus containing 381,894 and 383,517 words each from the two languages respectively. The study used systematic metaphorical pattern analysis methodology involving concordances of the twenty most frequently used nouns related to law as the target domain in each language to study their metaphorical patterns. This study used quantitative and qualitative parameters to explore the main source domains and identify language-specific trends of metaphorical patterning for both conceptual and linguistic metaphors. The researcher found a significantly higher density of metaphors in Lithuanian discourse (16.67 metaphorical patterns for every 1,000 words) as compared to English (4.53 metaphorical patterns for every 1,000 words).

She explains the difference as the result of several possible factors including the difference between the two legal systems and the difference in academic writing traditions in

the two discourse communities. Her study found that there was a strong tendency in English criminology experts to concentrate on the social aspects of crime by referring to more concrete and physical details of crime and law procedures while Lithuanian articles were found to focus more on abstract legal issues related to the problems in written laws and their applications. *Law as an object* and *law as a person* were found as the most prominent metaphorical patterns in both corpora that are compatible with the patterns found in several other studies. *Law as nature* was another pattern found in both corpora in her study. She also found that both languages shared the same specific-source domain structuring in the written legal discourse with sources mainly coming from *Objects, Substances, Persons, Container, Structure, Instrument, Machinery, Fight and Competition* and *Nature and Health*. However, there were significant differences regarding the distribution of these source domains in both corpora; they were found to be evenly distributed in the English corpora but the Lithuanian discourse predominantly relied on reification metaphors, constituting 68% of the whole metaphorical patterns. Notwithstanding the same source domains in both discourses, there were cross-linguistic variations in the realization of metaphors as reflected by the use of different lexis for metaphors in language. It was found that English discourse is marked by a less frequent but greater variety of metaphorical patterns in the corpus while Lithuanian discourse is marked by the frequent recurrence of the same metaphorical patterns. This aspect is highlighted by the high frequency of metaphorical legal terms in Lithuanian discourse in comparison to the English discourse.

In addition, she also found that metaphors in legal discourse in both corpora were conventional which, according to her, may be attributed to the nature of discipline and conventions of genre that rely on specialist lexis, strict rhetorical patterns and formal register to objectively present the findings in an impersonal way, avoiding ambiguities and thus leaving no space for striking and novel metaphors. However, the tendency to use deliberate metaphors in both languages was found that may be attributed to their use for the purpose of emphasis and argumentation and for expressing evaluation and is in line with claims that metaphors have evaluative properties that may be used for communicative purposes in discourse. She also found occurrences of metaphors in clusters and the use of mixed and multi-layered metaphors in both corpora with metaphorical expressions coming from different or combined source domains. The study highlights the existence of metaphor in written academic discourse and confirms the findings of many previous studies, especially regarding the predominance of object and person as source domains in the legal discourse.

Chiu and Chiang (2011) examined FIGHT metaphors in legal statutes and judgments in Taiwan to identify the influence of a newly introduced system of justice on the use of language. In 2003, an amendment in the Code of Criminal Procedure was adopted in Taiwan replacing the old code that was based on the Continental Inquisitorial Model, with the new one derived from the American model. Their study aimed to explore the ideologies influence of the new system on legal professionals and litigants in the country and they focused on identifying the FIGHT metaphor in the Taiwanese language before and after the introduction of the new legal system. They used an integrated approach by combining conceptual metaphor theory, CDA and corpus linguistics to identify the metaphor LITIGATION IS A FIGHT and explored the relationship between language and ideology over a period of eight years. This corpus-based study adopted a quantitative approach using the concordance of keywords from the source domain to identify metaphorical usage related to fifteen FIGHT keywords in the legal corpus. Their corpus consisted of texts of around 2,685,827,860 Chinese characters, from 134,141 official texts of the judicial judgments in criminal cases of the Taiwan High Court from 2000 to 2007. To study the interplay between conceptual metaphors and ideology in the corpus, techniques of CDA were applied to analyze and interpret the ideology implicit in those metaphors. They aimed to show how far the adoption of the new legal system has influenced the ideologies of law professionals and litigants and how FIGHT metaphors might influence public ideology to form a social cognition and structure.

The study observed a shift in the type of discourse after the amendment in 2003 that was marked by a high frequency of metaphors related to FIGHT. As metaphor has the potential to highlight certain aspects while hiding others, they argue that the prevalent fight metaphors in legal discourse in Taiwan have an ideological influence on creating a fighting mindset related to litigation in the court. They may promote aggressive thoughts and emotions with the use of terms like *attack* and *defence* and strengthen concepts like *opposition*, *conflict*, *struggle*, and *confrontation* while downplaying the cooperative aspects or other means of resolution, consequently promoting a hostile environment in the courtrooms. These metaphors also highlight the plight of litigants involved in a lawsuit reflecting the harsh facet of reality. They, therefore, suggest a more reflective approach for the legal professionals and people involved in litigation related to their linguistic behaviour and advocate the use of plain and explicit expressions in place of the FIGHT metaphor to minimize rivalry in the lawsuits.

Mannoni (2021) conducted a cross-linguistic study consisting of two legal languages, e.g., legal English (Euro English) especially developed by the European Union institutions and the legal Chinese from Mainland China. Both languages are hybrid languages according to the researcher. Chinese legal language was created as a specific language to accommodate many of the legal concepts imported through translation from continental Europe between the end of the last century and the beginning of the 21<sup>st</sup> century. Similarly, after the Maastricht Treaty in 1992, the European Union (EU) gave English the status of legal lingua franca which, is also considered a hybrid language in the context of the EU institutions and one that is not associated with any given value system (Mannoni, 2021). For Euro English, he used the EUR-Lex English corpus that is available online from the corpus manager SketchEngine, consisting of 193.3 million words in the form of numerous types of legal documents like EU laws (treaties, regulations, decisions, directives, legislation, etc.), preparatory acts and EU case law, etc. For the Chinese language, he used the corpus of Chinese laws (ChinLaC), being built at the University of Verona, Italy, consisting of 1.5 million words (at the time of the study).

This study focused on the RIGHT metaphor in these languages to investigate whether there is any significant difference between them regarding the metaphor. He found several qualitative and quantitative differences between mental representations in the two corpora, despite differences in genres of the two corpora and problems related to linguistic metaphor identification in Chinese. Quantitatively, the number of linguistic and conceptual metaphors for RIGHT was higher in Euro English than in legal Chinese, with seventeen linguistic metaphors in Euro English realizing six conceptual metaphors, whereas in legal Chinese, three conceptual metaphors were observed to be realized by three linguistic metaphors. If etymological meanings of the words are also included in the analysis, metaphoricity in Euro English is even higher than in legal Chinese. The study also showed that RIGHT metaphors in Euro English were drawn from seven embodied schemas. On the other hand, RIGHT was conceptualized by three schemas in legal Chinese. Qualitatively, the high number of metaphors in English was suggestive of a richer picture of RIGHT and its functions in Euro English legal context than in legal Chinese where it was found to be more obscure and poorly delineated. The study concluded that RIGHT was differently conceptualized in the legal Euro English and the legal Chinese, pointing towards rare cognitive and legal equivalence between the concept in the two languages.

Li & Xiao (2017) conducted a corpus-based contrastive study to explore conceptual metaphors in courtroom discourse in China and America. The aim was to undertake a contrastive analysis between the two corpora for conceptual metaphors by applying CMT to see whether same or different metaphors are used in the two corpora and also to explore the reasons for the differences in the case of different metaphors. The corpora consisted of 20 cases from the Chinese Court in Session including courtroom debates and arguments and 20 American cases from Famous Trials by Douglas O. Linder available on the website of the School of Law of the University of Missouri-Kansas City (UMKC). In the Chinese corpus, they discovered seven major conceptual metaphors related to *journey*, *human body*, *war*, *plant*, *building*, *circle* and *chess* while in the American corpus, they found seven major conceptual metaphors related to *journey*, *war*, *building*, *plant*, *human body*, *religion* and *fire*. There were similarities between most of the major conceptual metaphors in both corpora, although the percentage of occurrences was different in both corpora; however, some metaphors like *circle* and *chess* were unique to the Chinese corpus, while others, like *religion* and *fire*, were restricted to the American corpus. They explained these similarities and dissimilarities in metaphors as results of similarities and differences in the way American and Chinese people view and understand the law and get involved in it, in addition to differences in their physical experiences and cultural backgrounds. They concluded that from their life experiences, people from both the country see A CASE OR A TRIAL AS JOURNEY, and THE LITIGATION OR THE ARGUMENT AS A WAR. Similarly, people from both countries consider A CASE as a PLANT, A CRIME OR A CASE as a BUILDING and THE PSYCHOLOGICAL EFFECT as a HEART. However, they observed that the Chinese legal courtroom discourse predominantly consisted of metaphors like ILLEGAL ACTIVITIES IS BLACK, LAW IS EYES, MORALITY IS HEART, A COUNTRY IS A BUILDING, A CASE IS A CHESSBOARD, FRAUD IS A CIRCLE, THE ARGUMENT IS A CIRCLE and A COUNTRY IS A CHESSBOARD. However, metaphors like ATTENTION IS HEART, THE CENTER IS HEART, LAW IS RELIGION and SPEECH IS FIRE are predominant in legal courtroom discourse in America. They attributed these dissimilarities in the use of metaphors for the same things to differences in courtroom cultures, historical background and differences in religious beliefs between people from China and America. They conclude that similarities in the choice of conceptual metaphors between Chinese and American courtroom discourses are due to similarities in experiences of life and thinking in both countries while different social environments and cultural connotations are responsible for their difference in



choice of the conceptual metaphors. The study confirms earlier claims that there are universal as well as cultural-specific factors affecting the choice of metaphor.

Hibbitts (1994) studied American Legal discourse and noticed a shift from visual to aural metaphor in the discourse, which he attributed to recent developments in aural communications technologies, increasing representation in the law profession in America from formerly unprivileged racial, ethnic, gender, and religious groups and the overlap between values attached to sound and values embraced by exponents of critical legal theory.

There are numerous other studies conducted to analyze different aspects of metaphor in various genres of legal discourse which include, *Metaphor in International Law* (Del Mar, 2017), *Intellectual Property Law* (Loughlan, 2006), *Academic Legislative Documents* (Imamović, 2013), *Penal Policy* (Deignan and Armstrong, 2015), *Contract Law* (Lipshaw, 2011), *Human Rights* (Golder, 2019) etc. All of these studies acknowledge the presence of metaphor in their respective discourse and the important role that it is playing. In the context of Pakistan, there are a few studies conducted recently on metaphors in political, media and terrorism discourses. However, at the time of this research, the researcher could not find any study on metaphors in legal discourse in the context of Pakistan.

### **2.13 Metaphor Identification in Discourse- Methodological Issues**

The role of corpus analysis in linguistics is now well-acknowledged and is considered a promising field for the investigation of various features of language, including metaphor, in authentic language as it is now realized that isolated or invented examples of metaphor cannot be generalized to make claims about the ubiquitousness of metaphor and realistic understanding of metaphoric language (Pragglejaz Group, 2007). Some research on metaphor in discourse adopted manual identification but that is almost an impossible task for large corpora. Computer-based identification of metaphor was initially suggested by Fass (1991) and Mason, (2004) etc., but in the absence of agreed criteria, identification of metaphor in large corpora remains a difficult task as conceptual mapping is not linked to a particular linguistic form (Stefanowitsch, 2008).

In the past two decades, this area of research has attracted a lot of attention. Stefanowitsch (2008) has briefly mentioned several methods used/suggested by researchers for the identification of metaphors with their respective advantages and disadvantages. They include manual searching (Semino and Masci 1996 & Jäkel 1995), searching for source

domain vocabulary (Deignan 1999 a & b; Hanks 2004; Partington 1997; Koller, 2008; Markert and Nissim 2008), searching for target domain vocabulary (Tissari 2003; Stefanowitsch, 2004 & 2008), searching for both the source and the target domain (Martin, 2008) and exploring metaphors based on markers of metaphor (Goatly, 1997). Other identification methods adopted include using semantically annotated corpora (Semino, 2005), Cameron's (1999) family resemblance approach and Partington's (1998) Key Words analysis. However, these methods could not gain popularity because most of them suffered from some deficiencies.

To develop a reliable and systematic method, many efforts have been made in the past two decades (Steen, 1999, Pragglejazz group 2007, Steen et al 2010, etc.) to develop an agreed-upon criterion for the identification of metaphor in discourse, following some systematic steps and techniques. In this section, some of these approaches relevant to this study will be discussed that have been proposed for metaphor identification in discourse through corpus studies.

### **2.13.1 MIP- Pragglejazz Group (2007)**

A systematic attempt to identify metaphor in text was made in 2007 by a group of ten experienced and eminent metaphor scholars and senior researchers (including Peter Crisp, Ray Gibbs, Alan Cienki, Gerard Steen, Graham Low, Lynne Cameron, Elena Semino, Joe Grady, Alice Deignan, and Zoltán Kövecses) known as Pragglejazz Group (the Group name is an acronym of the first letters of the first names of these scholars). They worked for six years on the project to develop a metaphor identification technique and named it Metaphor Identification Procedure (MIP). They claim that they have tried to develop an explicit research tool that is flexible as well as reliable, involving a set of steps, for identifying metaphorically used words in real spoken and written language. They have suggested steps for the identification of metaphors in language which are reproduced below.

1. Read the entire text or discourse to establish a general understanding of the meaning.
2. Determine lexical units (words) in the text or discourse.
3. (a) Establish meaning in context (contextual meaning) for each lexical unit in the text.

- (b) Determine if each lexical unit in the text has a more basic contemporary meaning in other contexts. The basic meaning according to them is: -
    - (i) More concrete (easier to imagine, see, hear, feel, smell, and taste]
    - (ii) Related to bodily action
    - (iii) More precise
    - (iv) Historically older
    - (v) Not necessarily the most frequent meanings
  - (c) If a lexical unit has a more basic current or contemporary meaning in other contexts than the context in the text under review, determine whether the contextual meaning is in contrast with the more basic meaning but can be understood in comparison with it.
4. If the answer is yes, mark that lexical unit as metaphorical.

According to Pragglejaz Group (2007), the MIP procedure for metaphor identification is based on the concept that metaphorical meaning is an indirect meaning that results from a contrast between the contextual meaning of a word and its more basic meaning in other contexts. Metaphor in MIP is conceptualized as a cross-domain mapping that arises out of both indirectness and similarity (Steen et al, 2010). For example, see the metaphoric expression from the present study *put the system back on track*, where the *track* is used metaphorically because the contextual meaning of the word and its basic meaning are in contrast. However, this contrast is bridged by similarities in the two conceptual domains and results in marking the word as metaphoric. In contrast, in other forms of indirect meaning, like metonymy, the contrast is bridged by contiguity, not similarity (Steen et al., 2010).

Pragglejaz Group (2007) based their concept of metaphor on indirect conceptualization. Steen et al., (2010) explain this idea by saying that the use of one conceptual domain used as a source domain to understand another domain (target domain) is the true basis for metaphor in usage. This indirectness in the use of language is an example of the classic category of metaphor and Pragglejaz Group based their analysis on this type of metaphor (Steen et al., 2010). They excluded metonymy and all other forms of direct comparison like simile, analogy etc., from their analysis.

Pargglejaz group (2007) considered the word (which they called lexical unit) as the basic unit in their procedure. In their analysis, they considered all single headwords present in the dictionary as lexical units and even words defined under different headwords were

considered as a single lexical unit if they have identical base forms e.g., dog (noun) and dog (verb).

They recommend consulting corpus-based dictionaries, large electronic corpora and other corpus materials as a frame of reference to establish the basic meanings of words. Pragglejaz Group tested their method on two discourses, one written (a newspaper article) and one spoken (a television discussion programme) consisting of 676 and 668 words respectively. Six analysts worked independently and concluded that there was unanimous agreement between the analysts about some 85% of the data. Despite some disparity between analysts and scoring as marginally reliable on statistical analysis for reliability, they claim that MIP is reliable and can be used to identify metaphorically used words (MUWs) in any discourse.

### **2.13.2 MIPVU**

Steen (2007) who himself was a member of the Pragglejaz Group, acknowledges the efforts of MIP as a starting point to provide a reliable and valid procedure for the identification of metaphor but facing some difficulty in research with his team, Steen et al., (2010) devised a refined and extended version of MIP and termed it MIPVU (VU for Vrije Universiteit, where the team worked on the project). MIPVU is based on MIP with many points of similarities but Steen et al., (2010) claim MIPVU is more explicit, systematic, exhaustive and reliable than MIP. There are differences in the two approaches in the following ways:

1. MIP is restricted to only indirect expressions of metaphor i.e., metaphor as indirectness by similarity or comparison at the level of words while MIPVU looks at indirectness at the level of conceptual structure and also considers other forms of conceptual metaphors and direct expressions, like simile, implicit metaphors and metaphors by substitution or ellipsis.
2. Unlike MIP, MIPVU avoids referring to historical older senses of words in determining the basic meaning and argues that the most concrete and human-oriented senses of the words are the basic senses of words. It disagrees with MIP by saying that historically older senses of words are not accessible and relevant to the contemporary users of language.

3. MIPVU follows a restricted definition of lexical units. Unlike MIP which considers words that have identical base forms such as dog (noun) and dog (verb) as a single lexical unit, MIPVU is of the view that a more basic sense is required to be existing in the same grammatical category of a word form as used in the context because a noun cannot provide a more basic sense for a verb.
4. Unlike MIP's binary scale distinction between metaphorical and non-metaphorical words, MIPVU included a third category named 'WIDLII'- 'When in Doubt, Leave It In', for borderline and problematic cases. In addition, they also included another tag 'MFlag'- (metaphor flag) for words functioning as a signal for the presence of cross-domain mapping.

Steen et al., (2010) applied their method to two research programs on metaphor in discourse at VU University, Amsterdam. The first programme included four discourses consisting of academic, fictional, conversation and news texts taken from BNC Baby-excerpted from BNC and were analyzed by a team of four researchers over a period of five years. The second programme included two Dutch corpora from Conversation and News. Steen et al., claim that the reliability of their study was better than the results of the studies by the Pragglejaz Group (2007).

### **2.13.3. Combining Manual and Computer-Assisted Search for Metaphors**

The steps mentioned in MIP and MIPVU above can be followed by manually searching for metaphorically related words in comparatively smaller corpora. However, as discussed earlier, manual search for large corpora is a very laborious and time-consuming task. On the other hand, computer software can help in the identification of metaphor-related words if they are provided already selected lists of identified metaphors (Deignan, 2005), which has its limitation as instances of only those metaphors can be identified which are already known; only their frequency and collocation in large corpora can be determined with the help of this type of search. According to Koller et al., (2008), this technique relies on the computer search of preselected strings, so the analysts can find only further tokens of expressions they have already identified as worthy of study. To overcome the limitations of both manual and computer-assisted methods, one alternative is to combine both techniques, as was suggested by Charteris-Black (2004).

#### 2.13.4 Charteris-Black's Two-stage Metaphor Identification Approach

Charteris-Black (2004) followed a two-stage metaphor identification approach for his corpus-based critical metaphor analysis in discourses from various genres including three political discourses, two news reporting and two religious texts. It was a hybrid approach using both manual and computerized search for metaphors in the corpus. As a first step, he carried out a reading of a sample of text to identify metaphor candidates in the text. Then he examined them according to the set criteria mentioned in his definition of metaphor which included the presence of incongruity or what he calls semantic tension at linguistic, cognitive or pragmatic levels as a result of the shift in domain. He identified words in the texts that are commonly used in metaphoric senses and classified them as metaphor keywords while those not fulfilling the criteria were discarded. Next, he conducted a qualitative examination of the corpus context to determine whether each of the keywords is used in the literal or metaphoric sense in their contexts. He believes that corpora provide an extensive context for the keywords to justify their classification as metaphors based on semantic tension in context. In the second stage, after identifying potential keywords through manual analysis, he conducted an automated search to determine their frequency in the respective corpus. Charteris-Black included all morphologically related forms of a keyword in the search. For example, while analyzing metaphors in British political parties' manifestos, he identified *build* as one potential keyword and included all forms of the word (*build, building, buildings, builders, built, built-up*) in his search. Similarly, in his investigation of the US Presidents' inaugural speeches, he first manually identified metaphor keywords like *path, step, milestone* etc., and, in the next stage, he searched for these words in the whole corpus to determine whether they were used metaphorically in the discourse. He focused on conventional metaphors as, according to him, they are more likely to contain covert evaluation. It is interesting to note that Steen et al., (2010) while commenting on the MIP of Pragglejaz Group (2007), observes that the same rationale was independently used by Charteris-Black (2004) without formalizing his approach and that it provides an operational method for finding metaphors in actual usage.

#### 2.13.5 Combining Small and Large Corpora Analysis

Similar to Charteris-Black (2004), some other scholars have also suggested a different version of the hybrid method as one option to identify metaphors in large corpora. Citing Clear (1987), Deignan (2005) states that computer programmes can help in the swift and

accurate organization of data but they cannot identify metaphors and describe their meaning, grammatical patterns and pragmatic features. This is possible only through manual analysis using a bottom-up rather than top-down approach by analyzing from linguistic form through to meaning by manually sifting a large amount of linguistic data to develop valid generalizations. As manual search is practically impossible for a very large corpus, Deignan (2005) mentions one option to start with a manual search of a small corpus (as was undertaken by Cameron & Deignan, 2003) or a sample of the large corpus (as was undertaken by Charteris-Black, 2004 and mentioned above) to identify linguistic metaphors. These identified linguistic metaphors can be used to concordance large corpus using computer software for further analysis on a large scale. According to Koller et al., (2008), in addition to Charteris- Black (2004), several other researchers including Semino (2002), Koller (2004), Cameron and Deignan (2003), Koller and Semino (2009), Semino and Koller (2009) have identified metaphors in a subset of data through manual analysis following a close and detailed process and then used computer concordance for those metaphors in the rest of the data. Similarly, several researchers like Deignan (2005), Cameron and Deignan (2003), Musolff (2004), Stefanowitsch (2005) and Skorczynska and Deignan (2006), etc., have combined small and large corpora using manual and computer-assisted analysis respectively to explore metaphor in large discourses. Nevertheless, this approach has also its limitations as automatic search yields only further tokens and instances of pre-determined search strings but new metaphor types are hard to find unless they are present in close proximity to node expressions (Koller et al., 2008). However, the problem can be remedied to some extent by a close and extensive manual analysis of a large sample before undertaking a computerized search.

#### **2.14 Conceptual versus Linguistic Metaphors**

Before undertaking an analysis of metaphors in the corpus, it is pertinent to make a distinction between the linguistic realization of metaphors and conceptual metaphors. According to Semino (2008, p. 5), conceptual metaphor is a "systematic sets of correspondences, or "mappings across conceptual domains" which partially structure the target domain in terms of the source domain. These metaphors can be distinguished from linguistic metaphorical expressions found in the language which are linguistic realizations for the more abstract and general mapping.

Lakoff and Johnson (1980 & 2003) claim that linguistic metaphors are ubiquitous in language as its natural part and conceptual metaphors are natural parts of our thought, so no account of metaphor can be complete unless it recognizes this fact. In the words of Kövecses (2010), metaphoric expressions in language are linguistic manifestations of conceptual metaphors. They represent metaphor in thought. For example, some examples of linguistic metaphors observed from the source domain of JOURNEY in the present corpus are presented in KWIC Concordance 2.1 below.

### **KWIC Concordance 2.1**

#### *Examples of Conceptual versus Linguistic Metaphors*

1. Therefore, the objector/petitioner xxx has been *lingering* on this matter extending over a period of about 8 years... *{18c.p.}*
2. The Principles of Policy set out in the Constitution is the *path*, and the *destination*, that the nation has set for itself. *{60c.p.}*
3. The latter case ... can truly be described as a *milestone* in the context of identifying the true meanings of terrorism. *{ 112crl.a.}*
4. The Courts are empowered to scan the evidence to *reach* a conclusion. *{ 135Crl.M.}*
5. It may .... then follow the *steps* mentioned in section 428, Cr.P.C.*{ 123const.p.}*

These examples indicate that they are a set of related metaphors which are linguistic realization of a single conceptual metaphor LAW CASE IS A JOURNEY. As mentioned by Charteris-Black (2004) conceptual metaphor is a single idea that accounts for several metaphorical linguistic expressions. Lakoff and Johnson (1980) call conceptual metaphors as the links between ideas and say that they are not just a matter of talking about one thing in terms of another but as a matter of thinking in these terms. This systematicity observed in a set of several linguistic expressions supports the claim of CMT that the locus of metaphor is not in language but in thought. Lakoff and Johnson (1980) explain it further by saying that the metaphor is a cross-domain mapping in the conceptual system of a general nature and metaphorical expressions in language are linguistic expressions in the form of a word, a phrase, or a sentence which are the surface realization of this cross-domain mapping. In the words of Kövecses (2010), linguistic expressions are manifestations of conceptual metaphors while Deignan (2005) believes that conceptual metaphors describe the connection between two groups of ideas in the minds of the people. Conceptual metaphor, according to her,



functions at the level of thought and is very rarely observed in the language. Researchers search for them by observing and finding patterns or phrases in language called metaphors in general terms and use them as evidence for the underlying conceptual metaphors. According to Charteris-Black (2004), conceptual metaphors serve as the source of systematic motivations for linguistic metaphors observed in language, by which he means that a single idea is behind several related metaphorical expressions or vehicles, systematically conceptualizing experience from the source domains to the target domains. This idea explains a complete set of expressions found in a text or discourse. For example, numerous linguistic expressions in the present corpus can be grouped as one set which expresses one specific thought because all of them are motivated by that single thought. Charteris black (2004) calls this single thought or Conceptual metaphor a formal statement for the idea behind a metaphoric expression. In the present study, following the linguistic conventions, these types of conceptual metaphors will be presented in capital letters while the linguistic metaphors will be expressed in small letters. Deignan (2005) was perhaps referring to this account of conceptual metaphor when she says that Lakoff and Johnson's work has implications for explaining systematicity in arbitrary features of word meaning and their semantic relations observed in language.

### **2.15 Conventional versus Innovative Metaphors**

The conventionality of metaphor deals with the degree of its being entrenched in the everyday language use of ordinary people. A highly conventional metaphor is well established and is effortlessly and naturally used by the speakers, even, in most cases, without being aware of its use (Kövecses, 2010). Lakoff and Turner (1989, p.55) say that conventionalized metaphor is "automatic, effortless, and generally established as a mode of thought among members of a linguistic community". For conventional metaphors, meanings are established and require less cognitive processing (Deignan, 1999). Because conventional metaphors often go unnoticed in language, their frequency is not normally recognized unless a systematic analysis of the text is undertaken (Deignan, 2005). Claims of CMT about the ubiquitousness of metaphor in language and its function are based upon conventional metaphor. On the other side of the continuum are the novel metaphors and the dead metaphors. Novel metaphors are common in literature and other types of creative texts used for the special effect in the discourse while dead metaphors are those where the domain mapping is no longer of interest and the source domain words have lost their more basic

meanings. Novel or innovative metaphors are those that have not been used previously and therefore heighten awareness in language by raising awareness about semantic tension while conventional metaphors, when they are established in language, reduce our awareness about their semantic tension (Charteris-Black, 2004).

However, novel metaphors over time, become part of the main language when they are frequently used and thus become conventional metaphors with time. Innovative use of language at some point gives birth to novel metaphors which, gradually, with frequent use become conventional when it is established in the language. However, the boundary between conventional and novel metaphors is not sharply defined because of individual differences in the experience of language and because of the transition of novel metaphors into conventional metaphors over time (Charteris-Black, 2004; Deignan, 2005). However, Diegan (2005) says that innovative metaphors can be differentiated from conventional metaphors based on their frequency count in language and suggests the criteria that if a metaphor has less than one citation use per one thousand citations in the corpus of that word, or of all citations from a single source, then that metaphor may be termed as an innovative metaphor.

The decorative view of metaphor mainly focuses on novel, innovative or poetic metaphors. The high frequency of linguistic metaphors in language was not acknowledged because conventional metaphors were not usually noticed in language (Lakoff & Johnson 1980; Gibbs 1994). Moreover, since novel metaphors are used for stylistic and decorative purposes, they were enough to support the claims of the traditional view of metaphor that these metaphors can be peeled away from language without any loss to the language itself except for a minor effect on the stylistic aspect of language. One important point of departure between decorative and conceptual metaphor theory is the distinction made between novel and conventional metaphors. According to Charteris-Black (2004), the works of Lakoff and Johnson were focused on identifying metaphors in everyday language rather than poetic metaphors. Innovative metaphors are of interest to researchers in the field of literature but from the point of view of language, they are of less importance because they do not represent typical language patterns (Deignan, 2005). The present study, in the tradition of the majority of linguistic scholars, will focus on identifying and analyzing conventional metaphors because they are the most common in language and are relevant to the purpose of the study.

## 2.16 Gap in Research

The above discussion highlights the existence of gap in research related to metaphor in legal discourse from theoretical and methodological aspects. Theoretically, the claims of CMT about the existence of metaphor in all types of discourse are still being investigated, particularly through the use of corpus linguistic techniques. The claims of CMT about the ubiquitousness of metaphors in discourse and their role especially in legal discourse are still the subject of debate among scholars. This offers an opportunity for investigating metaphors in legal discourse in Pakistan. At the time of undertaking this study, the researcher could not find any study related to exploring metaphors in legal discourse in the context of Pakistan.

From the methodological point of view, metaphor search has largely been undertaken in smaller corpora through manual analysis as the metaphor identification techniques in discourse have not been yet fully computerized due to the non-availability of specially developed software. Experimentation in metaphor research through a mix of manual and computerized search has been undertaken recently to explore larger corpora (e.g., Charteris-Black, 2004; Semino, 2002; Koller, 2004; Cameron and Deignan, 2003; Koller and Semino, 2009; Semino and Koller, 2009, Deignan, 2005; Cameron and Deignan, 2003; Musolff, 2004; Stefanowitsch, 2005 etc.) using different techniques. The present search offers an opportunity to employ a hybrid or mixed method following the above-mentioned precedence by combining the manual analysis of a selected sample from the corpus and then searching the complete corpus through computer search with the help of identified metaphors in the selected sample and explore the validity of the hybrid approach for metaphor analysis in the discourse particularly in the context of Pakistan where it has not been investigated earlier.

## CHAPTER 3

### RESEARCH METHODOLOGY

#### 3.1 Chapter Overview

This chapter describes the methodology of the study in detail. Section 3.2 of this chapter highlights the research design of the study, followed in Section 3.3 by the steps undertaken in designing a specialized corpus for the study. Section 3.4 describes and criteria adopted to design a specialized corpus for the study. Section 3.5 discusses the sampling of corpus for manual identification of metaphor while Section 3.6 describes in detail the methodology adopted for metaphor identification. The last section (Section 3.7) of the chapter elaborates on additional considerations including ethical considerations of the study.

#### 3.2 Research Design

The present study explores metaphor in legal discourse using the techniques of Corpus Linguistics and adopts the discourse approach to metaphor analysis as mentioned by Deignan (2005). In the discourse approach, authentic text from real discourse is used, with generally CMT as a framework, without any attempt to test the theory or any other theoretical model. The discourse approach is in contrast to the cognitive approach which is mainly concerned with conceptual mapping, processing and perception and the nature of metaphorical meaning and is based mainly on intuitively generated data (Deignan, 2005). Hence, in the tradition of the discourse approach, this study draws text from authentic legal discourse by compiling a specialized corpus with an aim to see the frequency and types of metaphors in the selected discourse as well as to explore how metaphors used in the discourse throw light on their role.

Deignan (2005) has mentioned two approaches to discourse-based research. While both consider the text as a product, in the first type of analysis that follows the traditions of Critical Discourse Analysis, discourse is analyzed to identify how metaphors in the text are used to convey a message or ideology while in the second type, metaphor is studied to see how it is used to develop shared understanding through discourse. Further elaborating

methodology of the first approach, Deignan (2005) says that metaphoric linguistic expressions retrieved from the text are grouped semantically and conceptual metaphors are proposed for them to account for these metaphoric linguistic expressions. The researchers, then, study the entailments of these conceptual metaphors and the ideologies they reflect. Sometimes, the frequency of linguistic metaphors is also calculated and is used as evidence for discussing the significance of a particular conceptual metaphor.

The present study is closer to the first approach mentioned above by Deignan (2005). It has followed the criteria in the sense that it aims to identify the frequency, types and role of metaphor in the discourse by studying all instances of possible metaphors according to the set criteria of the study, recording their frequencies, semantically grouping them according to their source domains, elaborating them in terms of conceptual metaphors and analyzing their role in the discourse. The research questions of the present study are also, more or less, similar to the ones mentioned by Deignan (2005) for the first approach that includes a focus on the significant types of metaphors in the text, their entailments and the ideology they reflect. A similar approach was also used by Charteris-Black (2004) for his study. Some features of the research design adopted in this study are given in the next sections.

### **3.2.1 A Hybrid Approach**

A combination of manual and computer-assisted metaphor identification strategies was used in this study to identify metaphors, following Charteris-Black's (2004) two-stage metaphor identification approach. The rationale for adopting this approach is based on the constraints that have been faced by researchers while searching for metaphors in large corpora. Metaphor identification solely through computer software is impossible because corpus tools typically perform searches at the level of the word (Ädel, 2010) which is not helpful in the case of metaphor. Charteris-Black (2002) also says that metaphors are not inherently present in word forms; rather, they arise from relationships between words and their contexts. Stefanowitsch, (2020), also observed that the typical word-based corpus is of little advantage in investigating non-lexical phenomena like metaphor. Baker (2010) also highlights this issue by stating that phenomena like metaphor are difficult to completely automate. Conversely, the alternative approach i.e., metaphor identification solely through manual analysis in the large corpus is quite challenging and cumbersome and requires a lot of effort and time. Therefore, a semi-automatic or a hybrid approach was needed as was mentioned by Deignan (2005) and variously employed by researchers including, Semino

(2002), Cameron and Deignan (2003), Charteris-Black (2004), Koller (2004), Koller and Semino (2009) and Semino and Koller (2009).

The hybrid approach involves a two-stage procedure; in the first phase, manual identification of metaphoric expressions in a subset of data is carried out through a detailed manual analysis. Again, there are two types of approaches adopted for the selection of sub-set of data; in the first approach, a combination of small and large corpora is used to carry out metaphor analysis. In the first phase, the small corpus is manually analyzed and a list of the identified metaphorically used words (MUWs) is prepared from the small corpus. The same list of candidate metaphors is searched for analysis in the large corpus. Alternatively, in the second approach, a sample from a large corpus is selected which is searched manually for metaphor candidates. Then in the second phase, the identified list of metaphor candidates is used to search MUWs in the whole corpus through a computer programme (Koller et al, 2008). In the present study, the second approach was adopted following the footsteps of Charteris-Black (2004). A sample was selected from the main corpus for manual analysis using an appropriate sampling procedure (discussed in Section 3.4). Then the manually identified metaphoric expressions were considered as metaphor candidates and the whole corpus was searched through computer software to identify metaphors in the corpus.

### **3.2.2. Searching Metaphors through Computer**

As mentioned in Section 3.5, the metaphor identification procedure for the study was adopted from MIP (Pragglejaz Group, 2007) and MIPVU (Steen et al., 2010). However, detailed techniques for studying metaphors in the corpus were adopted from Deignan (2005). This identification procedure involved the use of a concordancing programme using computer software AntConc 4.1.4 (Anthony, 2022). This was done by entering potential metaphoric lexical units (obtained in manual analysis) in the software and qualitatively evaluating their linguistic contexts for all citations to establish their metaphorical use. After segregating metaphorically used node words from the non-metaphorical ones, these concordances were copied from the software into MS Excel and stored in Keyword in Context (KWIC) format for further analysis. As suggested by Charteris-Black (2004) and Deignan (2005), all inflections of the nodes and their morphological forms were searched through a computer search. For example, singular, plural forms in the case of nouns, *-er* and *-est* forms in the case of adjectives and all forms of regular and irregular verbs were examined

using the advanced search option in the AntConc programme as can be seen from the example of the selected results for the keyword ‘go’ in KWIC Concordance 3.1 below.

### KWIC Concordance 3.1

#### *KWIC Concordance for the Lexical unit ‘Go’*

| File          | Left Context   | Hit   | Right Context  |
|---------------|--|-------|--|
| 66c.a.txt     | o dismissed. In the appeal filed by the Appellant, the Tribunal  | went  | into the great detail in examining all legal procedural and fac  |
| 12const.p.txt | ne months” in place of “one year”. It is not necessary for us to | go    | into the implication of Section 15 of the Act of 2019, for it de |
| 25c.p.txt     | status of ground water in and around the plant area.” Without    | going | into the qualification of the consultants hired by the petitione |
| 11c.p.txt     | of law but a f suit for damages. In cases where the company      | goes  | into liquidation and the unpaid seller’s goods are pledged, tl   |
| 46const.p.txt | en the allegations made in the Reference having extensively      | gone  | into public domain are not taken to their logical conclusion. /  |
| 99c.p.txt     | etermined by such societies, authorities or companies which      | goes  | into the pocket of the company and not into the Government       |
| 131crl.a.txt  | ted out that Imam Baksh is per incuriam on the ground that it    | goes  | against the clear provision of the statute as the requirement    |
| 132crl.a.txt  | ted out that Imam Baksh is per incuriam on the ground that it    | goes  | against the clear provision of the statute as the requirement    |
| 106const...   | ilar application of the doctrine of necessity, which amounts to  | going | against the law of the land to attend to some political or othe  |
| 109const...   | ilar application of the doctrine of necessity, which amounts to  | going | against the law of the land to attend to some political or othe  |

### 3.2.3 A Combination of Qualitative and Quantitative Analysis

This study adopted a combination of qualitative and quantitative analysis as both approaches were required for investigating metaphor in discourse to find answers to the three Research Questions of the study. The importance of combining qualitative and quantitative analysis was also emphasized by Charteris-Black (2004) by saying that effective corpus-based analysis combines both approaches as the questions raised by one might be answered by the other. The study started with a qualitative analysis of a sample selected from the main corpus to establish and identify metaphors based on criteria as discussed in Section 2.13. This was followed by a further qualitative analysis of concordance lines in the main corpus for identifying metaphors through computer software with the help of metaphoric expressions, identified in the sample in the first phase. After getting the data as a result of a thorough examination using a computer search, the results were compiled in MS Excel sheets. The quantitative approach was employed to find out the frequency of metaphors in discourse and to determine the norm and typicality of language use based on quantitative evidence (Charteris-Black, 2004). Quantitative analysis, in addition to the frequency of metaphors in discourse also focused on investigating the distribution of metaphors in word classes. Finally, the interpretation and determination of the meaning of identified metaphors, their types and their role were analysed using a qualitative approach.

### 3.2.4 Analysis of Linguistic Metaphor

Semino (2008, p. 5) defines conceptual metaphor as "systematic sets of correspondences, or "mappings across conceptual domains" which partially structure the target domain in terms of the source domain. These metaphors can be distinguished from linguistic metaphorical expressions found in the language which are linguistic realizations for the more abstract and general mapping. CMT focuses on conceptual metaphor and considers metaphor as mapping across conceptual domains while metaphoric language is considered the surface realization of conceptual metaphor (Lakoff, 1993). However, it is not possible to automatically discover the linguistic realization of conceptual metaphor as a computer cannot infer metaphoric meaning. Deignan (1999) believes that Corpus Linguistics generally starts investigation from word to meaning and may trace possible underlying metaphors at the conceptual level in the next phase. It is the researcher who has to use his informed intuition to decide whether a particular expression is metaphoric based on words in context. MIP (Pragglejaz Group, 2007) also differentiates between the linguistic and conceptual analysis of metaphor and recommends focusing only on the linguistic metaphor while MIPUV (Steen et al. 2010) stresses starting with inductive analysis of words for metaphoricity in actual discourse, instead of starting with a preconceived set of conceptual metaphors and searching for further instances in the text. Investigation into cross-domain mapping and deriving conceptual metaphors may be undertaken subsequently and independently at the next stage (Steen et al., 2010). The same approach is preferred by Charteris-Black (2004) because of the difficulty involved in searching for the psychological basis for conceptual metaphor. The present study follows the above model for identifying linguistic metaphors in the first phase and then carrying out subsequent analysis to uncover conceptual metaphors for these linguistic metaphoric expressions.

### 3.2.5 Critical Metaphor Analysis

Charteris-Black (2004) followed a corpus-based approach to critically study metaphor in discourse which he named as Critical Metaphor Analysis (CMA). While using this approach, he combined principles and techniques of Corpus Linguistics, Cognitive Linguistics and Critical Discourse Analysis to study the pragmatic dimension of metaphor for its ideological and rhetorical components, in addition to its linguistic and cognitive dimensions. According to Charteris-Black (2004), he intended to explore the covert intentions of language users to know why a particular metaphor is chosen instead of its



alternatives in a particular discourse. He claims that corpus semantics has revealed that "words and phrases convey evaluations more frequently than is recorded in many dictionaries" (p33). The CMA approach aims at exploring the intentions of language users and the underlying evaluations, ideologies and beliefs in metaphor to understand the complex relationship between language and thought and their social context (Charteris-Black 2004). The present study follows the model of Critical Metaphor Analysis mentioned by Charteris-Black, specifically to find the answer to Research Question-3 by exploring the patterns in the use of metaphor and identifying the interrelationship between domains to find the motivation behind the choice of a particular conceptual metaphor and their role in promoting a particular meaning and ideology in the discourse. Charteris-Black says his analysis is not purely linguistically motivated as he focuses on investigating the rhetorical and evaluative effect of metaphor by studying authentic text through corpus analysis to investigate metaphors used in the discourse of people in authority like political, religious and newspaper texts. The present study, unlike Charteris-Black's (2004), is interested in both the linguistic and ideological role of metaphors in discourse. For this purpose, the CMA approach from Charteris-Black was adopted to explore the persuasive and ideological role of metaphor in the discourse in the light of Research Question 3 of the study.

### **3.2.6 A Corpus-Driven Approach**

Deignan (2005) elaborates on Tognini-Bonelli's (2001) distinction between corpus-based and corpus-driven approaches and says that the former approach starts with existing paradigms which are investigated using the corpus. Corpus-driven approach, on the other hand, starts with a clean slate, without any preconceived assumptions and looks for new categories and rules to find in the corpus. The present study, in light of this distinction, falls in the category of corpus-driven analysis, following a bottom-up analysis from words to meaning up to discourse. The title of the study suggests corpus-based analysis because the analysis was based on corpus investigation, but it is mainly corpus-driven, as it starts with a clean slate to investigate the selected corpus for metaphor without any aim to prove any theory or a pre-conceived assumption, except that the framework of CMT is used in the study as a starting point.

### 3.3 Designing the Specialized Corpus

Sometimes general-purpose corpora are of little use when a researcher is investigating a specific register or genre for a specific research question. As the present study focused on the genre of judgements and orders of the Supreme Court of Pakistan within legal discourse rather than language in general, a specialized corpus was required. A specialized corpus does not represent a language as a whole but focuses on a specialized segment (e.g., domain or genre) of a language (Lee, 2010). According to Flowerdew (2002), a specialized corpus focuses on specific registers or specific genres while Bowker & Pearson (2002) consider it a particular aspect of a language e.g., a specific subject field of LSP (Language for Specific Purpose), a particular text type or a particular language variety. Koester (2010) further elaborates on this view by saying that in cases where very specific research questions are being investigated in a specific context, then specialized corpora are developed and used which provide opportunities for a deeper insight into a particular genre or examining a more specific area of language use. Flowerdew (2004, p. 21) has mentioned several distinguishing parameters of specialized corpus including purpose of compiling the corpus, contextualization, genre, type of text or discourse, subject matter and variety of language.

Koester (2010) believes that in developing specialized corpora, the compiler is most often himself the analyst and thus has the advantage of being quite familiar with the text, the context, the setting, the purpose and the participants of the communication, unlike the general-purpose corpora where the language is often decontextualized (Lüdeling & Kytö, 2010). This affords the researcher an opportunity to balance and complement the quantitative findings with qualitative findings (Flowerdew, 2004; O’Keeffe, 2007; Koester, 2010). Many scholars (including Biber, 1989; Sinclair, 1991; Flowerdew, 2004; Lee, 2008) believe that a general reference corpus is not of much help for studying a specialized language and because of the homogeneous nature and the smaller size, a more detailed and qualitative based examination is possible with a specialized corpus (Lee, 2010; Atkins & Harvey, 2010)

As this study focuses on the genre of judgements and orders of the Supreme Court of Pakistan within legal discourse rather than language in general, a specialized corpus was developed for the present analysis for metaphor research in this study only. The corpus was named as Corpus of Legal Discourse in Pakistan (COLD). Since the corpus is restricted only to legal text genres comprising of court judgements in Pakistan over a specific period and developed for the present study only, this corpus fulfils the criteria (mentioned by scholars

like Bowker & Pearson, 2002; Hunston, 2003; Flowerdew, 2004, Beaugrande, 2011) of being a specialized corpus. According to Hunston (2008, p.60), three important issues are taken into account while designing a specialized corpus. They include representativeness, balance, and size. Koester (2010) added to them the issue of suitability for the purpose of the research. Before the compilation of the specialized corpus, these aspects were kept in mind and important decisions about the overall corpus design were taken to cater for issues like the population of the study, the kind and number of texts, the size of the corpus, and text sampling (Biber, 1993). These have been further elaborated in the following sections.

### **3.3.1 Target Population and Sampling**

The first and important step of concern in selecting the population and sampling frame was the definition of the target population concerning its boundaries and hierarchical organizations (Biber 1993). The target population for this study was legal discourse in Pakistan in the English language. The population was restricted to only one genre of written legal discourse i.e., court judgements in Pakistan. However, as pointed out by Hunston (2008), all the relevant texts that are the subject of research could not be made part of the corpus, even in specialized corpora; therefore, a choice about the sub-set of the candidate texts was to be made as part of selection of corpus design. Therefore, a non-probability (purposive) sampling procedure was used for the selection of a sample for the study from the target population.

The population selected for this study was judgements and orders of the Supreme Court of Pakistan (SCP) because they were considered appropriate for analysis in this study for several reasons. Firstly, SCP is the apex court of the country and has not only the power of original jurisdiction including interpretation of the constitution but has also appellate jurisdiction for the five High Courts, the Federal Sharia Court and other special courts in the country. So, they better represent genre of court judgements in Pakistan. Secondly, judges of the SCP are highly experienced and well-versed in their field and the legal language and are promoted to the apex court after spending several years in the high courts and lower courts. Thirdly, judgements and orders of the SCP have implications for the whole country, unlike special and lower courts which are concerned with local or special cases. Fourthly, unlike the lower courts where the national language Urdu is also used for issuing judgements, the judgements and orders of the SCP are invariably issued in English. As this study explores

English legal discourse in Pakistan, this was also one of the reasons to select judgements of SCP for sampling.

Thousands of court judgements and orders have been made available on the website of the SCP since its digitalization in 1999. Therefore, the population was required to be further specified and delimited. Biber (1993), has mentioned three overall corpus designs for population i.e., text production, text reception and text as a product. As demographic factors like gender, age, social status and occupation were not the variables used in this study, therefore, the first two corpus designs were not taken into account and the design in this study was organized around text as a product, representing the range of text in the genre rather than the pattern of their use by demographic groups as text production or text reception.

Various criteria and filters are provided on the website of SCP to search judgements which include case type, case number, case year and date of judgement in addition to the criteria based on the name of judges who gave the decisions and parties involved in the cases. Adopting one of Biber's (1991) designs, i.e., text as a product, texts for the sample population were selected based on the year of case registration and boundaries of the population were restricted to one year (i.e., 2019 as the year of cases registration in the SCP). Judgements of all types of cases registered in 2019 in SCP were included in the sample. However, as court decisions for cases registered in a particular year usually take varying time periods for decisions, ranging from a few days to several years, in this particular population sample, all the court judgements available on the official website of the SCP till 28 February 2022 for the cases registered in 2019 were included which numbered 139 in total and consisted of 481,577 tokens. This way, it covered a variety of the recent and contemporary available judgements, spanning over a period of more than three years. Regarding decisions about hierarchical organizations, all types of cases were included in the sample population whose judgements were made available during these three years. They included a variety of criminal, civil, and constitutional cases. Selection of population for corpus was made based on external criteria (court judgements and year of case registration) without taking into consideration the linguistic feature as the text was not read to determine internal linguistic features, thereby ensuring that no prior linguistic judgement about the corpus is made before analysis (Atkins et al., 1992) because if linguistic parameters (for example, performative verbs etc., in the text) are pre-determined in the corpus assembling phase, then as mentioned by Zufferey (2020), the analysis will not make much sense. Full texts of judgements were included in the

corpus as recommended by Sinclair (2005) to ensure the inclusion of linguistic features that are unevenly distributed across the text lengths. The corpus was not tagged for any feature to analyze the data without any preconceived notion and ensure full exploitation of the corpus data (Flowerdew, 2010).

### **3.3.2 Representativeness and Balance**

Representativeness implies that the corpus must represent the language it investigates (Leech, 1991; Biber, 1993; Hutson, 2008; Ripen, 2010). This is an important consideration in designing a corpus because it provides the basis for generalizations from the corpus to be extended to the language it represents and to answer research questions about that population (Zufferey, 2020). According to Biber (1993, p. 243), representativeness means "the extent to which a sample includes the full range of variability in a population". In a specialized corpus, Zufferey (2020) believes, the question of representativeness is simplified, as texts are chosen from a specific genre (in the present study the focus is on the genre of court judgements only). However, there may be sub-genres within the genres which should be catered for. In the present study, a specialized corpus was compiled from a genre of court judgements and orders of 139 recent legal cases, which represents the type of language the study aimed to investigate. There are no sub-genres in this corpus, although, there is a variety based on case types, for example, criminal, civil and constitutional cases etc. However, as mentioned by Bhatia (2004), legal discourse is quite conservative in its construction and use; so, these case types, being part of the same genre, are not supposed to significantly impact the sample as a whole. Moreover, a maximum variety of these types was present in the available sample population. Since these judgements were issued over a period of three years by several different judges of the SCP, the present corpus also fulfils another criterion of representativeness of specialized corpora as mentioned by Hutson (2008) and Zufferey (2020) that sources of data should be diversified to the maximum by including texts from as many different categories and different authors as possible. Thus, efforts were undertaken to make the corpus as representative of the language it investigates as possible.

The second issue in designing a corpus is balance which is related to the internal composition of a corpus and concerned with the issue of the proportion of sub-corpora present in the corpus (Hunston 2008). Balance in corpus implies that it should include an extensive range of text categories that are representative of the language under investigation (Xiao, 2010). The present corpus does not have sub-genres as all texts are related to legal

judgements and orders. However, there is variety in them based on case types like criminal, civil, constitutional etc. The selected sample includes a wide variety of these texts. However, no intentional step was taken to balance the number of a particular text type; instead, all available judgements for the selected time period were included in the corpus as they were. There were two reasons for this. Firstly, they do not constitute a separate category or sub-genre. Secondly, the number of cases registered in a particular year does not necessarily contain all the types of law cases and if they do, their number and decision time varies and may not be available within a given time period. Moreover, an effort to balance the corpus based on the number of tokens may lead to the unrepresentativeness of corpora (Hunston, 2008). In the present case, efforts were made to make it as representative as possible based on available data and resources. It may be concluded in agreement with McEnery et al. (2006) that corpus representativeness is more a matter of faith than a scientific reality, however, an earnest account of representativeness and balance should be furnished for the users of the corpus.

### **3.3.3 Size of the Corpus**

The optimal size for the corpus has been a matter of debate among researchers (Nelson, 1982). Some scholars equate size in importance with representativeness and balance and consider it equally important. For scholars like Krishnamurthy (2001), Meyer (2002), Sinclair (2004) and Granath (2007) etc., size matters and is considered an important factor in ensuring the representativeness of the corpus. While others, including Leech (1991) and Biber (1993) do not consider size as the most important consideration for achieving representativeness. For them, the definition of the target population and sampling method are more important. Corpus studies have been conducted with corpus size ranging from a few thousand to a few million words, depending upon the nature and purpose of the study. There is no agreement among the scholars about the ideal size (Seghiri, 2014) and for many authors, there are no limits suggested about the minimum or maximum number of texts or words to be included in the corpus (Sinclair, 2004). Scholars generally agree that there is no ideal size and no rules for the size of the corpus; rather several criteria including factors like need, representativeness, the purpose of the study, pragmatic or practicality considerations (e.g., availability, time, money) and the aspect of language to be investigated are important considerations in determining the size of the corpus (Biber, 1990; Flowerdew 2004; Nelson,

1982; Hunston 2008; Koester, 2010; Reppen,2010; Kennedy, 2014; Baker, 2010; Zulferrey, 2020).

For specialized corpora, scholars including Bowker & Pearson, (2002), O'Keeffe et al. (2007) and Koester (2010) believe that even comparatively smaller sizes can give reliable results because of careful and targeted selection. Nelson (2010) supports a smaller size for specialized corpus because it may present a more balanced and representative picture regarding a specific area of a language. Seghiri (2014) observes that even smaller corpora in specialized areas have produced optimal results and agrees with Bowker and Pearson (2002, p. 48) that "a few thousand and a few hundred thousand words" are adequate to get desired results in specialized corpora. Regarding analyzing corpora for metaphor, Deignan (2008) is of the views that as specialized corpora represent one text type or genre, even small corpora can allow for conducting an in-depth analysis of metaphors in their social and discoursal contexts.

Considering the opinions of scholars like Clear (1994), Biber (1995), Kock (1997) Bowker and Pearson (2002), Deignan (2008) etc., the corpus compiled for the present study consists of 139 texts with 481,577 tokens. In view of the specialized nature of the selected corpus, the size of the corpus may be considered sufficient enough for analysis in the light of views of the above-mentioned scholars. Nevertheless, it was ensured that the size of the corpus was large enough to reveal frequencies of linguistic phenomena under study. Other considerations that were kept in mind while deciding about designing this corpus and its size in the light of the views of scholars like Biber (1993), Flowerdew (2004), Reppen (2010), Baker (2010) and Koester (2010), included suitability of the corpus for the research, its adequacy to match features under investigation, its sufficiency to represent the type of language under investigation and its representativeness of the genre to include full range of variability of the population.

However, one significant and pragmatic consideration in deciding about the size of the corpus in this particular study was the nature of the study as it was not purely automated corpus analysis. It involved the identification of metaphor in the corpus which is impossible to be undertaken solely using computer software. A hybrid analysis was required using both a manual search for metaphor in a sample of the corpus in the first phase and a computer search in the second phase (Charteris- Black, 2004; Stefanowitsch, 2020; Baker, 2010). A corpus of a much larger size would have posed challenges for manual analysis of a reasonable-sized

sample from the corpus. Therefore, a corpus size was selected that is large enough to be representative of the language and at the same time, also manageable for manual search of the selected sample from the corpus.

### 3.3.4 Source of Data

For the collection of data, the official website of the SCP was accessed which provides free access to all uploaded judgements and orders from 1999 onwards. As the selected sample of the target population in this study were judgements and orders for the Case Year- 2019, all the cases whose judgements were issued till 28 February 2022 for that particular period and were made available on the official website were downloaded. They were 139 in total and consisted of a variety of cases, including original, appellate and review jurisdiction of the Supreme Court and comprised civil, criminal and constitutional categories. Details of these judgements are attached as Appendix “B” to this study while their summary is given in Table 3.1.

**Table: 3.1**

*Categories of Judgements and Orders in the COLD*

| <b>Type of judgements/ order</b> | <b>Number of files</b> |
|----------------------------------|------------------------|
| Civil Petitions                  | 49                     |
| Civil Appeals                    | 27                     |
| Civil Review Petitions           | 2                      |
| Civil Misc. Petitions            | 2                      |
| Constitutional Petitions         | 11                     |
| Criminal Petitions               | 27                     |
| Criminal Appeals                 | 10                     |
| Criminal Miscellaneous           |                        |
| Applications                     | 7                      |
| Jail Petitions                   | 4                      |
| <b>Total</b>                     | <b>139</b>             |



### 3.3.5 Collection of Data and Compilation of the Corpus

The sample population was available on the website of SCP as separate files in Portable Document Format (PDF). The first step in corpus compilation was downloading the required data from the website. After downloading, all PDF files were converted into MS Word files to clean them from errors. However, some PDF files were in image format which required extra effort for conversion into text files using Optical Character Recognition (OCR) software from online source <https://www.onlineocr.net/>. Some of the image files were in the form of poor-quality scanned images because either they were scanned from the blurred photocopies of the original documents or contained irrelevant and illegible characters like handwritten notes or ink stains from photocopier machines. These types of files were difficult for the OCR software to decipher. When they were converted into MS Word, they contained a lot of undesirable characters or 'noise' and required cleaning.

The next step was, therefore, cleaning the corpus from noise, because, if not rectified, they would potentially pose a big problem for corpus software to process, with the possibility of yielding erroneous results. Subramaniam, et al. (2009, p.115) defines noise as "any kind of difference in the surface form of an electronic text from the intended, correct or original text". Most of the noise in this corpus was the product of the conversion process, emerging from the conversion of poor-quality prints into digital form or the presence of illegible handwritten notes/comments which were difficult for the software to convert. In addition to this external noise, there were also some instances of noise coming from internal sources, for example, formatting errors, punctuation errors and the use of special characters and symbols in the text. In a few cases, the accuracy of these files was even less than 30% and required careful manual checking and rectification for errors. All types of noise were removed by manual cleansing of the text through elaborate efforts. After removing the noise, these files were checked for grammar and spelling mistakes and other errors, by using the spelling and grammar check option of the MS Word programme. In addition, parts of the text not needed for analysis of the judgements, for example, the title of the cases, references, type of the case, contesting parties, dates, and name of the judge(s) who passed the judgements, were removed and only exact texts of the judgements and orders were retained. Similarly, some judgements also contained quotations/ words from languages other than English (French, Latin, Urdu, Arabic and Persian) which were also removed from the converted texts before processing

through software. However, original files containing all this information were saved separately for future access in case of any need/ reference.

The final step in corpus compilation was saving the files in plain text (*txt*) format for further processing through corpus software. After cleaning them of noise and unnecessary stuff, MS Word files were converted into *Txt* format and saved as separate files, instead of making one large file, for easy retrieval at a later stage as suggested by Reppen (2010) and Zulfferey (2020). These files were saved with coded names which contained a number and part of the case type to keep the privacy of these files. However, parts of their original name indicating the content of the files were retained for easy identification (Reopen, 2010) and reference in future.

### **3.4 Sampling of Corpus for Manual Identification of Metaphor**

Metaphor identification solely through computer software is not possible as, so far, no software for this purpose has been developed. So, the study required a manual search of a sample of the corpus for identifying metaphorically-used words before searching the whole corpus through computer software. Therefore, after developing the corpus, the first step was to select a sample of the corpus for close manual reading. For this purpose, a stratified random sampling technique was followed.

As a first step, the whole corpus was grouped into homogeneous types of judgements (strata) as per the Supreme Court of Pakistan's classification. There were eight types of judgements and orders in the compiled corpus. They included Civil Appeal, Civil Petitions, Civil Review Petitions, Constitutional Petitions, Criminal Appeals, Criminal Miscellaneous Applications, Criminal Petitions and Jail Petitions as per the SCP nomenclature and classification. The purpose of stratification of judgements in these groups was to ensure that the sample is “maximally representative of the variety under examination” (McEnery and Wilson, 1996, p.24) for manual analysis, as the number and word strength of each of these sub-genres in the corpus were not uniform.

Regarding the size of corpus selection for manual analysis, Koller and Semino (2009) and Semino and Koller (2009), manually analyzed around 25% sample of the data, following the MIP and MIPUV procedures to identify the metaphorically used words. The present study used 30 % of the total corpus for manual analysis. For this purpose, 30% of the total number of files was selected using stratified random sampling, ensuring that the number of files

across text categories in the selected sample was proportional to their number in the target population (Sinclair, 2005). As 30% of the whole corpus (139 texts) was to be sampled for manual analysis, the next step was stratified random selection of samples from within these sub-categories. For this purpose, court decisions and judgements were first arranged chronologically and then put into their respective categories (strata). Then 30% of the judgements were worked out for each category as given in Table 3.2. The next step was a random selection of samples from the population through the "=RAND ()" function of MS Excel for manual identification of metaphor. The judgements so selected were 43 in number, which were later manually analyzed. This resulted in stratified sampling of the population, which according to Biber (1993) is as representative as pure random sampling.

**Table: 3.2**

*Breakdown of COLD Sample for Manual Analysis*

| <b>Category</b>             | <b>Number</b> | <b>30% of the cases</b> |
|-----------------------------|---------------|-------------------------|
| Civil Petitions             | 49            | 15                      |
| Civil Appeals               | 27            | 8                       |
| Civil Review Petitions      | 2             | 2                       |
| Civil Misc. Petitions       | 2             | 1                       |
| Constitutional Petitions    | 11            | 3                       |
| Criminal Petitions          | 27            | 8                       |
| Criminal Appeals            | 10            | 3                       |
| Criminal Misc. Applications | 7             | 2                       |
| Jail Petitions              | 4             | 1                       |
| <b>Total</b>                | <b>139</b>    | <b>43</b>               |

The selection of the sample was based on the number of files rather than the number of words as suggested by Sinclair (2005) who argues that, wherever possible, samples of language should consist of entire documents.

### **3.5 Methods: Metaphor Identification in the Corpus**

After developing the specialized corpus, the process of metaphor identification started. This study employed a combination of Charteris-Black (2004), Pragglejaz Group (2007) and Steen et al (2010) techniques (discussed in detail in Section 2.13). This was the

most challenging and strenuous part of the study requiring the right decisions, diligence and thoroughness. Like Charteris-Black (2004), metaphor analysis in this study was carried out in two steps. In the first step, a manual analysis of the selected sample of the corpus was undertaken. During this phase, MUWs were identified according to the criteria given by MIP (2007) and MIPVU (2010). The second step was automated analysis of the whole corpus through computer software using the candidate metaphors obtained through manual analysis as the starting point. Detailed procedures adopted to carry out these steps are mentioned in the following sections.

### **3.5.1. Tools and Resources for Analysis**

Following the practice of MIP of Pragglejaz group (2007) and MIPUV of Steen et al., (2010), the Macmillan English Dictionary for Advanced Learners (MEDAL) (Rundell, 2002) was used as the primary resource for determining the basic meanings. Similarly, like the MIP, The Shorter Oxford English Dictionary on Historical Principles (SOEDHP; Little et al., (1973) was used for problematic cases requiring the establishment of more basic meaning through historical origin. MEDAL Dictionary was used to establish the contemporary basic meaning of words because it is based on a systematically collected and sampled corpus of current English of 220 million words and represent a wide variety of text types in the corpus (Steen et al., 2010). Consulting a corpus-based dictionary was required to establish the more basic meaning of a word from its authentic usage by native speakers of the language, in addition to extracting other necessary information like parts of speech status etc. According to Steen et al., (2010), the basic meaning of a word is the more concrete, human-oriented and specific sense in contemporary language use and are always found in a general users' dictionary. If they are not mentioned in a contemporary general users' dictionary, they cannot be claimed to be the more basic meaning. In such cases, MIP suggests the use of SOEDHP to find the historically older meaning of the word for establishing the more basic meaning. So both of these dictionaries were used in this study. Except for novel or very rare words, MEDAL represents the description and usage of words of contemporary native speakers of English and thus helps in getting the basic meaning of a word. The dictionary also helps in identifying the headwords, compound words, conventionalized compounds and making distinction between phrasal verbs and prepositional phrases. The dictionary was extensively used during the manual search for MUWs for establishing the more basic meaning of lexical units vis-à-vis their contextual meanings. Except for the very common words, Medal

Dictionary was consulted for almost all the words mentioned in Appendix “A”, that were identified as potentially metaphoric in the manual analysis.

For automated corpus analysis, AntConc 4.1.4 (Anthony, 2022) software was used which is freely available online. In addition, in cases, where it was difficult to decide whether a lexical unit is metaphorical or not, books like *The Master Metaphor List* (Lakoff et al., 1991), *Metaphor- Collins Cobuild English Guides, Book-7* (Deignan, 1995) and online resource *VU Amsterdam Metaphor Corpus* (Steen et al., 2010) were also consulted. The *Master Metaphor List* (Lakoff, 1991) and *Metaphor- Collins Cobuild English Guides, Book-7* (Deignan, 1995) were especially helpful in determining the conceptual metaphors for the identified linguistic metaphors in the corpus and grouping them accordingly into conceptual metaphors.

### **3.5.2 Manual Identification of Metaphors**

Following Charteris-Black's (2004) two-stage approach, the first step was the manual analysis of the sample texts to identify candidate metaphors in the selected sample from the main corpus. These texts were 43 in number and consisted of 107927 words, making almost 30% of the files of the whole corpus. In this process, a close and careful reading of the selected sample of text was carried out to identify metaphor candidates according to the set criteria (Section 2.13). For manual identification of metaphor, a combination of MIP and MIPUV procedures was followed with some guidance from Chartres-Black (2004) as well (details in Section 2.13).

The procedure started with word-by-word reading of the whole text of the sampled files to establish a general understanding of meaning. Words or lexical units (as they are termed in MIP and MIPVU) were determined in the text as per MIP (Pragglejaz group, 2007) criteria and their contextual meaning was worked out. MEDAL was consulted as a reference to determine the difference in contextual and the more basic contemporary meaning in other context(s) of these lexical units. MIP/ MIPUV criteria were followed to determine the basic meaning (details in Section 2.13). In cases where lexical units had more basic contemporary meaning in some other contexts than the present context, it was seen whether the meaning in the present context was different from the basic meaning but could be comprehended in comparison with it to determine if it involved cross-domain mapping. If the answer was affirmative, the lexical unit was labelled as metaphorical. These MUWs lists were compiled

for using them for further automated analysis of the whole corpus. The MUWs thus obtained from analysis of the whole corpus were stored in MS Excel sheets along with relevant information including their POS status, source domain, their number etc., as shown in Figure 3.1 which is a screenshot from MS Excel sheet. These metaphoric expressions were variously grouped based on their source domains, word classes etc. As they represented linguistic metaphors, they were also grouped into corresponding conceptual metaphors for further analysis.

**Figure 3.1**

*Screenshot from MS Excel Sheet showing information about the identified MUWs in COLD*

| A            | B   | C                 | D          | E             | F                               |
|--------------|-----|-------------------|------------|---------------|---------------------------------|
| Lexical Unit | POS | Total Occurrences | Metaphoric | Source Domain | Remarks                         |
| boundary     | n   | 11                | 5          | bounded space |                                 |
| confine      | v   | 4                 | 4          | bounded space |                                 |
| confined     | adj | 11                | 10         | bounded space |                                 |
| confines     | n   | 6                 | 6          | bounded space |                                 |
| frontiers    | n   | 9                 | 3          | bounded space |                                 |
| pales        | v   | 4                 | 4          | colour        |                                 |
| pales        | n   | 2                 | 2          | bounded space | <i>In the sense of boundary</i> |
| parameters   | n   | 18                | 18         | bounded space |                                 |
| capacity     | n   | 68                | 67         | container     |                                 |
| contain      | v   | 207               | 206        | container     |                                 |
| encompass    | v   | 7                 | 7          | container     |                                 |

### 3.5.2.1 Criteria and considerations in manual analysis

The present study followed a combination of Charteris-Black (2004), MIP (2007) and MIPVU (Steen et al, 2010) techniques as guidelines for identifying metaphors in the Corpus (discussed in detail in Section 2.13). Words or Lexical units were the unit of analysis in this study. Following MIP and MIPVU, all single headwords occurring in the dictionary (including modals, auxiliaries, prepositions, particles and infinitive markers) were regarded as lexical units. However, some multiword units including phrasal verbs (set aside, take away, set up etc.) which are made of two or more words were also considered as single units because they were not decomposable in their constituent parts (Gibbs, Nayak, & Cutting, 1989). Similarly, poly-word expressions (e.g., on the other hand, by means of etc.) were considered as single units. However, frequent collocations and idioms were not considered as one whole unit because of their decomposability. Compound words that are mentioned as

one word or as two hyphenated words in the dictionary, (for example, throwaway, byproduct, rock-bottom) were considered as single lexical units. However, novel compound words, not present in the dictionary, were analyzed as per their component.

Following the MIP and Charteris-Black's approach and in contrast to MIPUV, this study focused on only indirect expressions of metaphor, i.e., metaphor as indirectness by similarity or comparison at the level of words and excluded other forms of figurative expressions like simile, analogy, implicit metaphors and metaphors by substitution or ellipsis, metonymy and hyperbolic or other type of figurative expressions. Step 3 of the MIP (Section 2.13) provided guidelines for distinguishing metaphor from other expressions by exploring whether the contextual meaning of a metaphoric word was different from its more basic meaning but could be understood in comparison to it. This way metonymic expressions were filtered out because they are based on stand-for or part-for-whole or contiguity relationship, rather than comparison. Similarly, comparing the contextual meaning of lexical units with their more basic meaning in other contexts filtered out cases of non-metaphorical polysemy because a more basic meaning cannot be determined for non-metaphorical polysemy. Similarly, unlike MIPUV, Charteris-Black's (2004) and MIP's binary scale distinction of metaphorical and non-metaphorical words was followed. Those lexical units that were fulfilling the given criteria were identified as metaphors while those not fulfilling were discarded from further analysis.

There were some categories of words mentioned by MIP where it was difficult to establish a more basic meaning than the contextual meaning. They included most of the conjunctions, auxiliary verbs, pronouns, determiners and some prepositions like *for* and *of* etc. They were excluded from analysis in this study as well. However, personal pronouns and demonstratives which may involve deixical metaphoricity (personal pronouns to personify or de-personify and demonstrative for empathetic deixis) were included for analysis in the study as per the practice of Pragglejaz Group (2007).

### **3.5.3 Metaphor Identification through Concordance**

After getting a list of metaphorically used words through the manual search for MUWs from the selected sample, the next step was to search the whole corpus for these metaphor keywords with the help of these candidate metaphors in the sample. For this purpose, corpus analysis software AntConc 4.1.4 (Anthony, 2022) was used. The keywords

from the identified metaphor were searched through concordance and qualitative analysis of all concordance lines for the keywords was performed in their context to determine the metaphoricity of those expressions in context for qualitatively establishing the presence of metaphors as corpus provides extensive context around the keywords to justify the classification of metaphor (Charteris- Black, 2004).

In the process of identifying metaphors, concordance lines of MUWs were closely examined in their context. Analyzing the context of keywords is important because as mentioned by Charteris-Black (2011), metaphor is a feature of language use or discourse; any word is a potential metaphor, depending upon its use in the context. When a word undergoes a change of use from its use in its common or basic sense, it gives rise to a metaphor. In computer analysis, the same criterion was adopted to identify metaphoric expressions as was followed in manual analysis. The analysis resulted in identifying the frequency and types of metaphors in the whole discourse. The results were presented in Key Word in Context (KWIC) format where the keyword or the node was in the centre while its contexts were present on both the right and left sides (mentioned in Section, 3.3.2).

While quoting concordance lines from the corpus to highlight metaphoric usage of lexical units, exact source of these concordance was mentioned along with each lines with the help of coded numbers. These coded numbers were mentioned in the beginning of the concordance lines in case of a screenshot while at the end of the line in angular brackets in case of a reproduced sentence. They consisted of a number and part of the actual nomenclature of the case where the number corresponds to the serial number of the specific court judgement mentioned in Appendix “B” while the alphabets refer to the type of the case like ‘*crl*’ for criminal, ‘*const*’ for constitutional and ‘*CA*’ for civil appeals (e.g., *112crl.a* refers to Case Number *Crl.A.95/2019* at serial 112 of the Appendix “B”). Additional information like Case Number, Subject, Judgment Date and SC Citation(s) about all the judgments can also be retrieved from Appendix “B” about any concordance line quoted in the study.

### **3.6 Statistical Procedures**

The first step in the analysis was quantitative analysis of the data obtained from the corpus to determine the frequency of metaphor in the corpus and to identify the trends of metaphoricity. For this purpose, the identified metaphorically used words (MUWs) were



stored in Excel sheets. These results were compiled in a single file along with their frequency. Descriptive statistics like summation and percentages were used in arriving at the quantitative data. The compiled results were variously arranged, grouped and filtered to acquire the desired data in the light of the research questions of the study. This included arranging the results based on different criteria like source domains, word class, frequency etc. These statistics have been given in detail in Chapter 4 of this study.

### **3.7. Other Considerations**

While conducting this study, some considerations and guidelines were kept in mind. These included considerations related to methodology and conduct of analysis and ethical considerations. These considerations have been discussed in the following sections.

#### **3.7.1. Methodological Considerations**

This study followed the definition given by Deignan (2005, p. 34) who defines metaphor in the light of CMT as "a word or expression that is used to talk about an entity or quality other than that referred to by its core, or most basic meaning. This non-core use expresses a perceived relationship with the core meaning of the word, and in many cases between two semantic fields". However, for metaphor identification in discourse, the functional guidelines provided by MIP/MIPVU were followed during the analysis. Similarly, following the conventions of Cognitive Linguistics, capital letters are used for presenting statements of conceptual metaphors which Charteris-Black (2004) calls the abstract thoughts underlying linguistic metaphoric expressions, while small letters are used to present linguistic realizations of these conceptual metaphors i.e., linguistic metaphors. As the corpus developed for this study consisted of legal discourse which is a technical register, there is a lot of technical vocabulary and terminology used in the register that is specific to law. Many of even common English words may have different connotations in the specific legal register than the common English language and there are likely chances that many lexical units identified as metaphoric might not be so from the perspective of law. However, following the stance of Steen et al., (2010), this study also adopts the idea that the legal language is analyzed from the angle of a common user of English that is represented by the description given in a general contemporary English dictionary and not from the point of view of a technical user of legal language or deriving description from some specialized law dictionary.

### **3.7.2 Additional Findings**

After the identification of MUWs in the whole COLD corpus, the results were compiled and compared with the findings from previous studies. While finding answers to three Research Questions was the focus of the study, additional observations and findings were also noted during the research. The most important one was related to the degree of effectiveness of the two-stage metaphor identification procedure adopted by Charteris-Black (2004). Detailed observations in this regard have been discussed in Section 6.5. In addition, the present study also found further linguistic manifestations and evidence for Event Structure Metaphors and Complex System Metaphors from the domain of legal discourse. These findings have been discussed in detail in Section 5.4.

### **3.7.3. Ethical Considerations**

Data for this study was downloaded from the official website of the SCP. As the data was available in the public domain, no permission was required to be obtained. This research acknowledges the services of the SCP for its contribution to making such valuable data available for researchers and common readers. Nevertheless, this study ensured the use of the acquired data purely for academic purposes. While using this data, ethical considerations were kept in mind to preserve the privacy of the data by removing the names of the judges, parties to the cases, case titles, dates of the judgement etc. This research was undertaken purely for academic purpose and solely concentrated on the language and linguistic features of the cases downloaded from the SCP website without going into the details of the legal aspects or implications of any case(s). Every effort was made to avoid harm of any kind including harm to the reputation of an individual or institution and the results of analysis are objectively presented in this report.

In addition, many other freely available online services and software were utilized for conducting this research. These included [www.onlineocr.net](http://www.onlineocr.net), AntConc 4.1.4, and online resource VU Amsterdam Metaphor Corpus. The researcher is indebted to these valuable services made freely available and acknowledges their contribution in conducting this research and assures that these resources were used purely for academic research and not for any other purpose.

### **3.7.4 Summary of the Chapter**

This corpus-driven analysis of metaphors in discourse follows a combination of metaphor identification procedures mentioned by Charteris-Black (2004), Pragglejaz Group (2007) and Steen et al., (2010) adopting a hybrid approach to the identification of metaphor that involved both manual and computerized search. Moreover, this study is both quantitative and qualitative analysis as metaphor identification and analyzing its type and role fall in the category of qualitative analysis whereas analyzing the frequency of metaphor, its distribution across word classes and identification of prominent source domains in the discourse falls in the category of quantitative study. The resultant data was compiled and analyzed to arrive at results in light of the research questions of the study. The next chapter, i.e., Chapter 4 presents analysis of data.

## CHAPTER 4

### DATA ANALYSIS

#### 4.1 Overview of the Chapter

This chapter presents a description of data analysis obtained from the automated search of the whole corpus. Mostly, it is related to the quantitative analysis of the data and presents the statistics obtained from the analysis of the corpus, however, qualitative analysis of the data in the form of source domains of the metaphor is also mentioned. In the first part, the nature of the data is described. The next part presents the overall data obtained from the study. In the subsequent part, the analysis of data regarding identified MUWs has been presented that is arranged according to the word classes of identified MUWs. The last part of the chapter describes the analysis of the data regarding the types of identified MUWs based on their source domains.

#### 4.2 Nature of Data

The compiled data, consisting of 139 files and 481,577 tokens, was analyzed using AntConc 4.1.4 (Anthony, 2022) software. The analysis started with a search of the candidate metaphors identified through the manual analysis of the selected sample from the COLA. As discussed in detail, in Sections 3.4 & 3.5, in the first phase, the selected sample from the corpus was manually read and searched for potential metaphoric expressions using a combination of techniques from MIP and MIPUV. Meanings of lexical units in their contexts were determined from the concordance lines. These meanings were compared to the dictionary meaning of these words using the Macmillan English Dictionary for Advanced Learners (MEDAL) (Rundell, 2002) to determine the more basic meaning of these lexical units. Cases where the contextual meanings were different from their more basic meaning present in the dictionary but could be understood in comparison with them were identified as metaphorically used words (MUWs). In most cases, MEDAL served the purpose in determining the more basic meanings of the lexical units. However, in a few cases, MEDAL could not help in determining the more basic meaning of the lexical units. In those cases,

following the procedures of MIP, The Shorter Oxford English Dictionary on Historical Principles (1973) (SOEDHP) was consulted by tracing the more basic meaning through the historically older sense of the words. To quote one such example, while manually analyzing the selected sample, the following concordance line from the corpus was encountered in the sample for the lexical unit '*pale*'.

#### **KWIC Concordance 4.1**

##### *Concordance Lines for Lexical Unit 'pale' in the selected Sample*

*The individual capacity of the petitioner **pales** into insignificance even if he decides not to pursue the present petition.*

It was noted that in the above sentence the lexical unit '*pale*' has been used in a different sense than its basic sense and was therefore marked as potentially metaphoric. MEDAL was consulted to check the basic meaning of the word which gave the following senses of the word as a verb: -

1. If someone pales, or if their face pales, their skin becomes lighter because they are ill, shocked, or worried.
2. to become lighter in colour
3. to become less important or serious, especially when compared with someone or something else

In the above set of meanings, the one given at Serial-2 was recognized as the more basic meaning for '*pale*' as it is more concrete and precise. Since the meaning in the context of the concordance was different from its more basic meaning in the dictionary but could be understood in relation to it, the lexical unit '*pale*' was added to the list of potential metaphors as per the set criteria for further analysis in the complete COLD through computer software. However, after completion of the manual search of the sample, when the list of manually identified metaphoric expressions in the selected sample was searched through computer software in the complete COLD corpus in the second phase, additional instances for the lexical unit '*pale*' were detected as shown in KWIC Concordance 4.2 below.

## KWIC Concordance 4.2

### Concordance Lines for the Lexical Unit ‘pale’ in COLD

| File              | Left Context   | Hit   | Right Context   |
|-------------------|--|-------|---|
| 1 106const....    | mental rights and, thus, the individual capacity of the petitioner | pales | into insignificance even if he decides not to pursue the preser   |
| 2 109const....    | mental rights and, thus, the individual capacity of the petitioner | pales | into insignificance even if he decides not to pursue the preser   |
| 3 46const.p...txt | facts. Furthermore, the observations in the Dharna Judgment        | pale  | in comparison to the remarks passed by this Court in Air Mars     |
| 4 110const.p...   | mental rights and, thus, the individual capacity of the petitioner | pales | into insignificance even if he decides not to pursue the preser   |
| 5 13c.p.txt       | r great regret, all such acts of harassment that fall beyond the   | pale  | of restricted definition of actionable harassment under section   |
| 6 11c.p.txt       | clusion arrived was that: "The proposition is now beyond the       | pale  | of controversy that the State can impose a restriction in the int |

In the above concordance lines, it was observed that none of the instances of the word had been used in its basic sense. However, it was noted that along the first four sentences that have the word used as a verb, the last two examples used the word as a noun in a different sense. MEDAL was consulted again to clarify the difference in meaning. It was found that MEDAL does not offer any definition of ‘pale’ as a noun to explain its meaning in the present context. As the basic meaning of ‘pale’ as a noun was not possible to be determined from MEDAL, SOEDHP was consulted to get further help where the following definitions were given by the dictionary:-

1. A stake, either driven into the ground with others, to form a fence; now usu., One of the upright bars nailed vertically to a horizontal rail or rails, to form a paling. late ME,
2. A fence; a paling, palisade. Obs. or arch. ME. b. transf. and fig. Any enclosing barrier or line. Oés. or arch. 1564. c. fig. A limit, boundary; a restriction;
3. An area enclosed by a fence; an enclosure

Definitions of the word ‘pale’ in the dictionary at Serials 2 and 3 explain the meaning of the pale as a noun and thus help in determining the basic meaning of the word in the present context which is different from its more basic meaning in the dictionary but can be understood in comparison with it. Thus, the word was marked as metaphoric but in a different sense than its metaphoric use in the first two sentences in Concordance 4.2. Therefore, the lexical unit ‘pale’ was marked as metaphoric in this sense as well and was added to the list of MUWs as per the set criteria.

In the first phase through the manual search, 1021 lexical units were identified in the selected sample as potentially metaphoric (list attached as Appendix). After preparing a list of these potential metaphorically used words (MUWs), the computer software AntConc was used for searching the complete corpus through concordancing using the list of manually identified MUWs. The same criteria were used for identifying MUWs as had been used previously for manual search in the sample of the Corpus and the results so obtained were compiled in a separate file for further analysis.

However, during the analysis process of concordance lines and determining the contextual meanings of the already identified MUWs, a considerable number of additional metaphor-related words (around 14% of the overall identified MUWs in the COLD) were also encountered which had not been observed during manual search of the sample. These newly identified MUWs were further searched in the whole corpus for further instances. For example, the lexical units *piece*, *bargain*, *guard*, *track* and *play* were among those that were identified as metaphoric in the manual search of the sample corpus in the first phase of manual metaphor identification. In the second phase of computerized search through computer, these MUWs, like all other manually identified units were searched in the whole corpus through concordancing and context analysis in their own respective contexts. In the process, while going through their respective concordance lines for establishing the metaphoricity of these lexical units in context, some additional potential metaphor candidates were encountered as shown in KWIC Concordance 4.3.

### KWIC Concordance 4.3

*Concordance lines for piece, bargain, guard, track and play*

|  |                 |  |              |
|--|-----------------|--|--------------|
| and admittedly the case hinges upon some       | <b>pieces</b>   | of circumstantial evidence. It is not denied | {133CrI.M.A} |
| courts do not review the fairness of men's     | <b>bargains</b> | either at law or in equity. The penalty rule | {8c.a.}      |
| with constitutional protection to be jealously | <b>guarded</b>  | against any invasion of law or acts of the   | {46const.p.} |
| our opinion not only put the system back on    | <b>track</b>    | and reaffirm the majesty of the law but      | {98c.p. }    |
| and different backgrounds, clamouring foul     | <b>play</b>     | cannot be summarily brushed aside to         | {80c.p.}     |

As shown in KWIC Concordance 4.3, during the search for lexical units like *piece*, *bargain*, *guard*, *track* and *play* in the complete corpus through automatic search in the second phase of the search, some additional lexical units as shown in boldface like *hinge*, *fairness*, *invasion*, *clamouring* and *brush aside* were observed in the proximity of the nodes

and found metaphoric in some concordance lines. Items like these had not been encountered earlier in the manual search. This way, close analysis of concordance lines and context led to the identification of further MUWs. The same possibility has been referred to by Koller et al., (2008) that new metaphoric types can be found in concordance search when they are present in close proximity to node expressions (see Section 2.13.4). These newly identified candidates were added to the list of potential metaphoric lexical units and were searched in the whole Corpus through computer software just like the other items collected from the sample through manual search. They raised the total tokens of initially identified MUWs through a manual search from 1021 to 1185. These additional token types led to the identification of almost 10610 additional tokens of MUWS in the corpus which were almost 13.75% of the total identified MUWs in the first phase. They thus considerably contributed to the search for metaphoric items in the whole corpus.

A computer search for these 1185 potential metaphor-related words showed that they had almost 91,158 tokens in the complete corpus which meant that more than 91,158 concordance lines were read and searched for MUWs. Out of these 91158 tokens in their respective concordance lines, 65503 were found to have been metaphorically used according to the set criteria of the study. The results were initially compiled and stored in Excel sheets. Later various filters were applied to arrange data on the basis of different criteria like their total number, frequency of each token type, types of source domains and classification based on word class etc. Descriptive statistics like frequency count and percentage were applied to compile the final results. Details of data analysis are presented in the subsequent sections of this chapter.

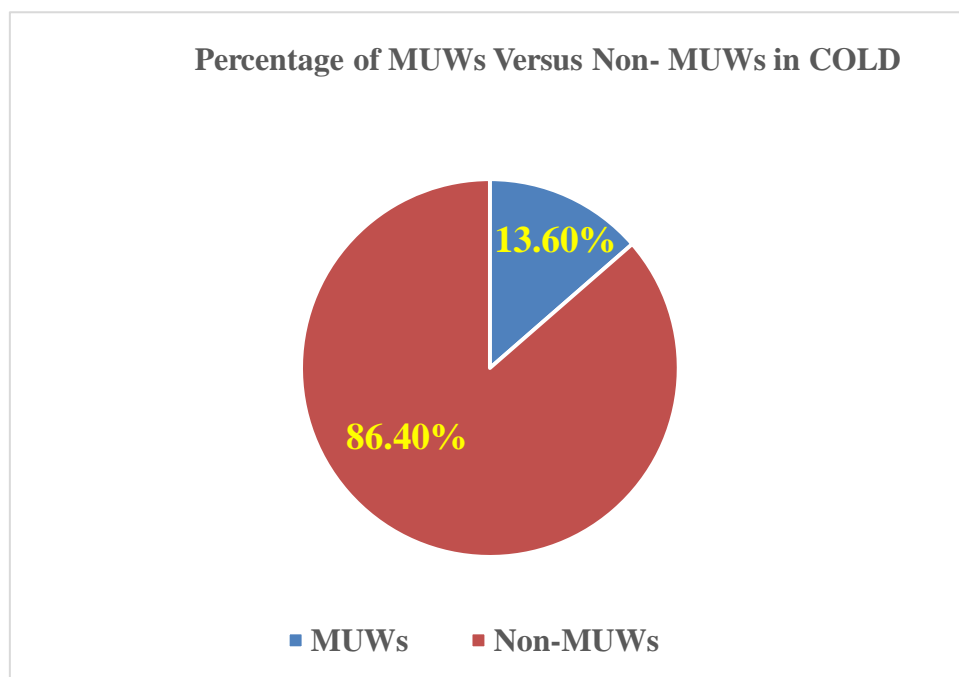
### **4.3 Data Analysis**

Following a combination of MIP (2007), MIPUV (2010) and Charteris-Black (2004) techniques, the specially developed Corpus of Legal Discourse in Pakistan (COLD), which consisted of 481,577 lexical units, was analyzed. The study revealed that 65,503 lexical units were used metaphorically out of the total 481,577 words of the COLD while 416,074 lexical units were used in their literal senses. This means that 13.60 per cent of the total lexical units in the corpus were used metaphorically. The study also revealed that corresponding to 65,503 metaphoric tokens, there were 1,185 token types of MUWs in the corpus, which means that these 65,503 metaphors were realized by 1,185 token types as shown in Table 4.1. Figure 4.1 graphically presents these results.



**Table: 4.1***Lexical Units and Metaphors in the COLD*

| <b>Total number of lexical units</b> | <b>Number of token types</b> | <b>Number of MUWs</b> | <b>Percentage of metaphors in discourse</b> |
|--------------------------------------|------------------------------|-----------------------|---|
| 481,577                              | 1,185                        | 65,503                | 13.60%                                      |

**Figure 4.1***Percentage of MUWs versus Non-MUWs in COLD*

It is pertinent to differentiate between tokens and token types here. The total number of words in a corpus is called tokens. Zuffery (2020, p. 201) labels them as “word occurrences” and says that the size of the corpus is measured by the total number of word occurrences. The majority of the words in the text are, however, repeated i.e., they are used several times in the corpus. In contrast, distinct words in the corpus representing the diversity of words are known as token types (Seghiri, 2014) or word types according to Zuffery (2020). In the COLD, there are 1185 token types and 65503 tokens of MUWs which means every instance of metaphorically used word/phrase. For example, words like *above*, *high*, *remedy*, *suspend* etc., are examples of token types used metaphorically. However, many of the token types in the corpus have been used many times (i.e., they have many tokens) in the

corpus. The highest number of tokens of individual token types were observed in prepositions with the preposition ‘*in*’ leading the rest with its 10342 metaphoric occurrences (tokens) followed by ‘*to*’ (4397) and ‘*on*’ (3407). This means that 1185 token types (words/phrases) were identified as metaphoric with their frequency of metaphoric use (tokens) ranging from 1 to several thousand as mentioned in Table 4.2. However, in addition to the metaphoric use of most lexical units, there were also non-metaphoric or literal tokens of these lexical units or token types. For example, in the case of preposition ‘*in*’ which has the highest number of tokens in the COLD, that are used metaphorically (10342), it is to be noted that overall, there are 11241 tokens of ‘*in*’ in the corpus. It was observed during corpus analysis that 231 lexical units had only one token (instance) of metaphoric use in the corpus while 157 lexical units were represented by just two tokens in the corpus. On the other hand, only ten lexical units had more than one thousand metaphoric tokens in the discourse; almost all of them were prepositions except for the verb ‘*provide*’ and adjective ‘*high*’. Similarly, ten lexical units had metaphoric tokens in the range of 501-1000, 13 in the range of 301-500, 17 in the range of 201-300 and 44 in the range of 101-200. The majority of the lexical units (almost 690) lie in the range of 3- 100 metaphoric tokens. Details of all MUWs along with their respective frequencies in the Corpus are given in Table 4.2 below.

**Table 4.2**

*Frequency-wise List of MUWs in the COLD*

| <b>Tokens of MUWs with their respective frequency</b> |                 |                 |               |
|---|-----------------|-----------------|---------------|
| <b>MUWs with tokens above 1000</b>                    |                 |                 |               |
| in (10342)  | with (2271)     | with (2271)     | high (1013)   |
| to (4397)   | under(2219)     | under(2219)     |               |
| on (3407)   | from (1425)     |                 |               |
| <b>MUWs with tokens between 501-1000</b>              |                 |                 |               |
| before (824)  | above (629)     | this (567)      | these (505)   |
| by (754)  | hold (627)      | after (581)     |               |
| through (736)   | has/have/ (625) | regard (550)    |               |
| <b>MUWs with tokens between 301- 500</b>              |                 |                 |               |
| into (498)  | supreme (425)   | within (380)    | find (340)    |
| upon (476)  | hear (411)      | where (351)     | power (317)   |
| give (471)  | view (381)      | pass (347)      | between (308) |
| place (444)   |                 |                 |               |
| <b>MUWs with tokens between 201-300</b>               |                 |                 |               |
| clear (300)   | follow (271)    | challenge (226) | subject (217) |
| ground (283)  | out (260)       | establish (225) | form (214)    |

| <b>Tokens of MUWs with their respective frequency</b> |                   |                  |                 |
|---|-------------------|------------------|-----------------|
| exercise (274)  | about (240)       | produce (225)    | contain (206)   |
| leave (272)   | fall (230)        | observe (220)    | protect (203)   |
| <b>MUWs with tokens between 101- 200</b>              |                   |                  |                 |
| stand (200)   | over (160)        | invoke (132)     | far (114)       |
| apply (197)   | set aside (159)   | remove (130)     | return (114)    |
| hand (196)  | position (158)    | lay (128)        | extend (113)    |
| come (193)  | require (155)     | base (127)       | account (111)   |
| those (188)   | below (145)       | defence (127)    | down (110)      |
| review (179)  | superior (141)    | regular (125)    | lead (110)      |
| settle (178)  | mind (139)        | reproduce (123)  | connect (107)   |
| bring (177)   | remain (138)      | appear (120)     | stage (105)     |
| material (177)  | go (137)          | approach (120)   | question (104)  |
| arise (166)   | way (135)         | meet (120)       | point (101)     |
| prescribe (163)                                       | independent (133) | proceed (118)    |                 |
| remedy (162)  |                   |                  |                 |
| <b>MUWs with tokens between 51-100</b>                |                   |                  |                 |
| amount (100)  | recognize (82)    | piece (68)       | away (57)       |
| furnish (100)   | whole (82)        | render (68)      | life (57)       |
| mandate (100)   | breach (81)       | towards (68)     | look (57)       |
| frame (99)  | light (81)        | bar (67)         | lose (57)       |
| fresh (98)  | put (81)          | capacity (67)    | occupy (57)     |
| confer (96)   | up (81)           | short (67)       | access (56)     |
| source (94)   | keep (80)         | suffer (67)      | attach (56)     |
| regulate (93)   | directly (79)     | level (66)       | fail (56)       |
| body (92)   | entertain (78)    | contemplate (65) | operate (56)    |
| call (90)   | course (77)       | cover (65)       | bind (55)       |
| large (89)  | cross (76)        | open (65)        | envisage (54)   |
| attract (88)  | step (76)         | value (65)       | move (54)       |
| extent (88)   | maintain (75)     | free (63)        | pray (54)       |
| void (87)   | burden (74)       | believe (62)     | vested (54)     |
| here (86)   | draw (74)         | head (62)        | advance (52)    |
| role (85)   | end (74)          | reflect (61)     | launder (52)    |
| structure (85)  | behind (72)       | back (60)        | long (52)       |
| adopt (84)  | strength (71)     | state (59)       | substance (52)  |
| beyond (84)   | enter (70)        | system (59)      | demonstrate 51) |
| direction (84)  | fix (70)          | element (58)     | suspend (51)    |
| full (83)   | parade (68)       | that (58)        |                 |
| <b>MUWs with tokens between 21-50</b>                 |                   |                  |                 |
| secure (50)   | weigh (38)        | inferior (30)    | plain (24)      |
| support (49)  | abuse (37)        | intention (30)   | restore (24)    |
| govern (48)   | apart (37)        | line (30)        | sight (24)      |

| <b>Tokens of MUWs with their respective frequency</b> |                  |                   |                  |
|---|------------------|-------------------|------------------|
| joint (48)  | area (37)        | organ (30)        | accompany (23)   |
| rule (48)   | arrange (37)     | arrive (29)       | break (23)       |
| scope (48)  | assailed (37)    | ingredient (29)   | central (23)     |
| count (47)  | bear (37)        | speak (29)        | channel (23)     |
| discharge (46)  | business (37)    | array (28)        | extract (23)     |
| enjoy (46)  | deprive (37)     | collateral (28)   | fabricate (23)   |
| show (46)   | mechanism (37)   | defeat (28)       | root (23)        |
| strike (46)   | substantial (37) | get (28)          | see (23)         |
| face (45)   | sustain (37)     | ill (28)          | around (22)      |
| satisfying (45)                                       | nexus (36)       | pursue (28)       | conflict (22)    |
| safeguard (44)  | play (36)        | construct (27)    | convey (22)      |
| balance (43)  | indicate (35)    | employ (27)       | derived (22)     |
| close (43)  | insert (35)      | essence (27)      | promote (22)     |
| enact (43)  | offer (35)       | eye (27)          | round (22)       |
| reach (43)  | stance (35)      | reverse (27)      | scene (22)       |
| turn (43)   | backdrop (34)    | technical (27)    | valuable (22)    |
| found (42)  | miss (34)        | formula (26)      | dissolve (21)    |
| reduce (42)   | confront (33)    | infringe (26)     | escape (21)      |
| serve (42)  | forward (33)     | sift (26)         | fatal (21)       |
| cast (41)   | grain (33)       | wide (26)         | intent (21)      |
| measure (41)  | multiple (33)    | framework (25)    | offend (21)      |
| underline (41)  | lodge (32)       | instrument (25)   | parent (21)      |
| low (40)  | replace (32)     | invalid (25)      | premature (21)   |
| quash (40)  | rise (32)        | save (25)         | resist (21)      |
| run (40)  | spirit (32)      | set of (25)       | tool (21)        |
| field (39)  | domain (31)      | silence (25)      |                  |
| force (39)  | sit (31)         | virtue (25)       |                  |
| possess (39)  | complete (30)    | bare (24)         |                  |
| prevail (39)  | conceive (30)    | gravity (24)      |                  |
| address (38)  | endorse (30)     | off (24)          |                  |
| <b>MUWs with tokens between 11-20</b>                 |                  |                   |                  |
| confine (20)  | mix (17)         | prohibit (15)     | encroach (12)    |
| curtail (20)  | narrow (17)      | regime (15)       | faith (12)       |
| decretal (20)   | perceive (17)    | surrounding (15)  | freezes (12)     |
| emerge (20)   | pith (17)        | vacuum (15)       | front (12)       |
| purview (20)  | pivot (17)       | consonance (14)   | frustrate (12)   |
| taint (20)  | stretch (17)     | cut (14)          | harmony (12)     |
| brother (19)  | surrender (17)   | intrude (14)      | heart (12)       |
| fit (19)  | try (17)         | outset (14)       | image (12)       |
| further (19)  | add (16)         | sphere (14)       | injure (12)      |
| impress (19)  | recall (16)      | stopgap (14)      | label (12)       |
| leak (19)   | deep (16)        | transparency (14) | miscarriage (12) |

| <b>Tokens of MUWs with their respective frequency</b> |                |                |                 |
|---|----------------|----------------|-----------------|
| motion (19)   | fair (16)      | acquire (13)   | misplace (12)   |
| preserve (19)   | fate (16)      | ancillary (13) | pain (12)       |
| set up (19)   | guard (16)     | dilated (13)   | quarter (12)    |
| there (19)  | heavy (16)     | enshrine (13)  | space (12)      |
| thing (19)  | incline (16)   | evade (13)     | spell (12)      |
| worth (19)  | owe (16)       | expose (13)    | touchstone (12) |
| carry (18)  | recall (16)    | foot (13)      | victory (12)    |
| degree (18)   | spread (16)    | gain (13)      | couple (11)     |
| environment (18)                                      | touch (16)     | guide (13)     | derogate (11)   |
| grow (18)   | undermine (16) | immune (13)    | dictate (11)    |
| onus (18)   | broad (15)     | imply (13)     | evolve (11)     |
| parameter (18)  | build (15)     | lie (13)       | gap (11)        |
| press (18)  | check (15)     | liquidate (13) | hit (11)        |
| quantum (18)  | drive (15)     | room (13)      | junction (11)   |
| scale (18)  | engage (15)    | sanctity (13)  | live (11)       |
| shape (18)  | generate (15)  | solemn (13)    | origin (11)     |
| threshold (18)  | goal (15)      | stay (13)      | passage (11)    |
| confess (17)  | hostile (15)   | stream (13)    | pattern (11)    |
| core (17)   | launch (15)    | take away (13) | priority (11)   |
| culminate (17)  | link (15)      | trace (13)     | progress (11)   |
| handle (17)   | margin (15)    | trigger (13)   | recourse (11)   |
| home (17)   | outside (15)   | depict (12)    | revolve (11)    |
| key (17)  | pressure (15)  | embark (12)    | sound (11)      |
|   |                |                | trump (11)      |
| <b>MUWs with tokens between 6-10</b>                  |                |                |                 |
| bypass (10)   | paramount (9)  | visit (8)      | beside (6)      |
| chain (10)  | pick (9)       | adhere (7)     | campaign (6)    |
| class (10)  | poor (9)       | answer (7)     | cap (6)         |
| colour (10)   | posed (9)      | bald (7)       | capital (6)     |
| command (10)  | saddle (9)     | bridge (7)     | circumvent (6)  |
| destroy (10)  | shake (9)      | carve out (7)  | clamour (6)     |
| deviate (10)  | struggle (9)   | center (7)     | constrain (6)   |
| entail (10)   | top (9)        | contour (7)    | denote (6)      |
| fallout (10)  | venture (9)    | credit (7)     | device (6)      |
| fortify (10)  | wave (9)       | depart (7)     | divide (10)     |
| impede (10)   | weak (9)       | drag (7)       | fetter (6)      |
| intervene (10)  | aim (8)        | emanate (7)    | forbid (6)      |
| mark (10)   | blood (8)      | encompass (7)  | harbours (6)    |
| means (10)  | cost (8)       | entrench (7)   | hard (6)        |
| parallel (10)   | crux (8)       | expense (7)    | healthy (6)     |
| rest (10)   | door (8)       | firm (7)       | hound (6)       |

| <b>Tokens of MUWs with their respective frequency</b> |                |                    |                  |
|---|----------------|--------------------|------------------|
| score (10)  | elevate (8)    | flexible (7)       | inextricably (6) |
| screen (10)   | flow (8)       | huge (7)           | insulate (6)     |
| shadow (10)   | forge (8)      | infirm (7)         | magnitude (6)    |
| species (10)  | hallmark (8)   | invite (7)         | mainstay (6)     |
| unison (10)   | hearsay (8)    | liberal (7)        | package (6)      |
| warrant (10)  | hinder (8)     | machinery (7)      | pales (6)        |
| zone (10)   | lend (8)       | mill (7)           | pillar (6)       |
| across (9)  | little (8)     | obstruct (7)       | purify (6)       |
| artificial (9)  | mechanical (8) | overreach (7)      | range (6)        |
| blemish (9)   | near (8)       | par (7)            | seal (6)         |
| clean (9)   | path (8)       | picture (7)        | seize (6)        |
| clog (9)  | realm (8)      | predecessor (7)    | small (6)        |
| dead (9)  | recital (8)    | route (7)          | spend (6)        |
| deny (9)  | sacred (8)     | span (7)           | succumb (6)      |
| diminish (9)  | seat (8)       | surface (7)        | survey (6)       |
| distort (9)   | straight (8)   | theatre (7)        | team (6)         |
| enlarge (9)   | supremacy (8)  | trample (7)        | threat (6)       |
| episode (9)   | target (8)     | uphold (7)         | tie (6)          |
| exceed (9)  | tend (8)       | upload (7)         | trauma (6)       |
| feed (9)  | throw (8)      | vast (7)           | unravel (6)      |
| fold (9)  | transform (8)  | win (7)            |                  |
| increase (9)  | translate (8)  | abridge (6)        |                  |
| invade (9)  | transpire (8)  | assign (6)         |                  |
| mischief (9)  | transpire (8)  |                    |                  |
| <b>MUWs with tokens between 3-5</b>                   |                |                    |                  |
| alien (5)   | tarnish (5)    | relieve (4)        | fashion (3)      |
| alive (5)   | tier (5)       | ring (4)           | fast (3)         |
| angle (5)   | timeframe (5)  | sauce (4)          | fire (3)         |
| apex (5)  | trap (5)       | shield (4)         | fraternity (3)   |
| attack (5)  | travel (5)     | slipshod (4)       | fraught (3)      |
| blind (5)   | untouched (5)  | stamp (4)          | frontiers (3)    |
| bold (5)  | upright (5)    | starting point (4) | guise (3)        |
| borne (5)   | vision (5)     | status (4)         | hail (3)         |
| boundary (5)  | white (5)      | stir (4)           | handful (3)      |
| brick (5)   | wing (5)       | super (4)          | harvest (3)      |
| bull (5)  | yardstick (5)  | swing (4)          | height (3)       |
| by-product (5)  | abdicate (4)   | table (4)          | helm (3)         |
| chequered (5)   | abyss (4)      | taste (4)          | land (3)         |
| chilling (5)  | affix (4)      | trajectory (4)     | length (3)       |
| circle (5)  | ahead (4)      | tune (4)           | lift (3)         |
| club (5)  | anchor (4)     | umpire (4)         | loophole (3)     |
| conscience (5)  | architect (4)  | unearthed (4)      | maiden (3)       |

| <b>Tokens of MUWs with their respective frequency</b> |                    |                |                   |
|---|--------------------|----------------|-------------------|
| countenance (5)                                       | avenue (4)         | vein (4)       | matrix (3)        |
| creep (5)   | bargain (4)        | via (4)        | mount (3)         |
| dark (5)  | bereave (4)        | vigilance (4)  | net (3)           |
| demolish (5)  | borrow (4)         | visualize (4)  | network (3)       |
| dig (5)   | brazen (4)         | volume (4)     | onto (3)          |
| dislodge (5)  | bug (4)            | waste (4)      | overturn (3)      |
| diverge (5)   | buy (4)            | withhold (4)   | pang (3)          |
| divest (5)  | capture (4)        | yield (4)      | playing-field (3) |
| expand (5)  | cherish (4)        | actuate (3)    | prey (3)          |
| explore (5)   | circumspection (4) | akin (3)       | pure (3)          |
| fill (5)  | compose (4)        | assault (3)    | put-forth (3)     |
| floodgate (5)   | cool (4)           | backbone (3)   | quintessence (3)  |
| glare (5)   | degrade (4)        | backward (3)   | retrace (3)       |
| grade (5)   | derelict (4)       | barrier (3)    | rigid (3)         |
| grind (5)   | dimension (4)      | betray (3)     | robust (3)        |
| hinge (5)   | display (4)        | bond (3)       | rock (3)          |
| hurt (5)  | divert (4)         | bottom (3)     | rock-bottom (3)   |
| hyper (5)   | drop (4)           | camouflage (3) | rope (3)          |
| import (5)  | earmark (4)        | cardinal (3)   | ruin (3)          |
| landmark (5)  | eat (4)            | cloak (3)      | rung (3)          |
| limb (5)  | echo (4)           | closure (3)    | sacrifice (3)     |
| massive (5)   | erode (4)          | clothes (3)    | scant (3)         |
| militate (5)  | extinguish (4)     | clutch (3)     | shackle (3)       |
| obviate (5)   | figure (4)         | coin (3)       | shed (3)          |
| odd (5)   | foul (4)           | colossal (3)   | solvent (3)       |
| ordain (5)  | intact (4)         | corner (3)     | stake (3)         |
| outline (5)   | jacket (4)         | craft (3)      | strategy (3)      |
| pedestal (5)  | jealously (4)      | cripple (3)    | straw (3)         |
| perfect (5)   | linger (4)         | cry (3)        | strip (3)         |
| placement (5)   | lurk (4)           | culled (3)     | subvert (3)       |
| plane (5)   | magic (4)          | cycle (3)      | track (3)         |
| precious (5)  | majesty (4)        | deploy (3)     | trail (3)         |
| shot (5)  | mercy (4)          | destined (3)   | transgress (3)    |
| stem (5)  | obliterate (4)     | distribute (3) | tread (3)         |
| stigma (5)  | offshore (4)       | dream (3)      | trick (3)         |
| stringent (5)   | override (4)       | encounter (3)  | twist (3)         |
| subscribe (5)   | plug (4)           | expedition (3) | unbridle (3)      |
| sum (5)   | pocket (4)         | fabric (3)     | unleash (3)       |
| survive (5)   | quiet (4)          | fade (3)       | walk (3)          |
| sway (5)  |                    |                |                   |
| <b>MUWs with 2 tokens</b>                             |                    |                |                   |
| absorb  | dismantle          | irreparable    | scar              |

| <b>Tokens of MUWs with their respective frequency</b> |             |             |              |
|---|-------------|-------------|--------------|
| accommodate   | displace    | junction    | sea          |
| altar   | doctor      | knockout    | shade        |
| amplify   | dole        | layer       | sidestep     |
| ancestry  | downgrade   | lean        | sign         |
| arduous   | eclipse     | loudly      | smooth       |
| atmosphere  | elude       | Lust        | soul         |
| battle  | empirical   | match       | spark        |
| bedrock   | entangle    | mould       | spectrum     |
| benchmark   | espouse     | nail        | spring       |
| big   | exalt       | naked       | stagnation   |
| birth   | exert       | neck        | stain        |
| black   | fallow      | next to     | Station      |
| blend   | fishing     | onslaught   | sterile      |
| boggle  | flair       | organism    | stink        |
| bolster   | float       | oust        | stroke       |
| breadwinner   | flux        | outweigh    | stumble      |
| burdensome  | Foster      | overcome    | sweet        |
| canon   | fracture    | pave        | swell        |
| charter   | golden      | perennial   | symptomatic  |
| combating   | grasp       | permeate    | synchronize  |
| component   | grey        | profound    | Tail         |
| concentrate   | hamper      | pull        | transport    |
| cornerstone   | hang        | push        | tree         |
| couch   | heaven      | red         | underpinning |
| crystal   | heel        | repair      | underscore   |
| cure  | hefty       | resurrect   | unveil       |
| dear  | hide        | rich        | voice        |
| desk  | hop         | roll        | wash         |
| devastate   | horse       | rotational  | whittle      |
| die   | imbue       | sanctuaries | windfall     |
| <b>MUWs with 1 token</b>                              |             |             |              |
| abrasion  | embrace     | myopic      | shroud       |
| adversary   | encumber    | nauseating  | sicken       |
| aggression  | engineer    | navigate    | side-line    |
| ailing  | erase       | nightmare   | skin         |
| anti-climax   | erect       | noose       | sky          |
| ascendency  | exchange    | nose        | sledgehammer |
| astray  | exit        | nucleus     | slice        |
| astride   | explode     | obstacle    | slippery     |
| bake  | exponential | ocean       | slope        |
| basket  | fierce      | orchestrate | smear        |
| bend  | flourish    | oscillate   | snag         |



**Tokens of MUWs with their respective frequency**

|             |                |              |              |
|-------------|----------------|--------------|--------------|
| blast       | fragile        | overlap      | soar         |
| blazing     | friction       | overture     | sordid       |
| blinkered   | fruitful       | pace         | souvenir     |
| block       | garb           | page         | sow          |
| blow        | genealogy      | paint        | spate        |
| bonus       | germane        | paper        | spearhead    |
| boost       | germinate      | paternal     | stagger      |
| bout        | globe          | peak         | star         |
| brainwash   | grab           | pendulum     | stillborn    |
| buck        | graduate       | peripheral   | stock        |
| bulwark     | grip           | plank        | storm        |
| calculate   | grope          | pledge       | strain       |
| caliber     | haunt          | pole         | strapping    |
| catastrophe | heat           | polemical    | subtract     |
| chalk       | hell           | pollute      | swallow      |
| cheap       | hollow         | pool         | swerve       |
| chest       | hurl           | pouring      | switch       |
| clinch      | iceberg        | pristine     | teach        |
| cloud       | imperialism    | prize        | tears        |
| collapse    | infected       | progeny      | thaw         |
| comrade     | inside         | prong        | thrash       |
| cook        | insurmountable | propel       | thrive       |
| cosmetic    | inundated      | pygmy        | throwaway    |
| crave       | iron           | rail         | tightrope    |
| crease      | jolt           | recast       | tilling      |
| crop        | jump           | reckon       | treasure     |
| crude       | knot           | recycling    | tremor       |
| decamp      | leap           | reign        | trophy       |
| derail      | limbo          | replete      | unattractive |
| derivative  | linkspan       | reside       | unfolded     |
| descend     | locate         | resonance    | unnerve      |
| destination | lopsided       | riding       | upcoming     |
| detach      | lure           | roost        | uplift       |
| ditch       | manoeuvre      | roving       | vanish       |
| divorce     | meat           | scapegoat    | walls        |
| draconian   | melting        | scary        | web          |
| drain       | middle         | seasoned     | wedge        |
| drench      | milestone      | seed         | witch-hunt   |
| drift       | mismatch       | set in place | wither       |
| dwarf       | muddied        | shatter      | wolf         |
| earn        | muffle         | shockwave    | wreckage     |
|             | muster         | shoulders    | yoke         |

#### 4.4 Percentage of Word Classes in the COLD

In addition to determining the overall frequency of MUWs in the corpus, MUWs were also segregated based on word category and then their frequency was calculated. Steen et al., (2010) observed in their study that the distribution of metaphor across word classes in the corpus is not homogeneous; so, this frequency count was carried out to get a picture of the word class distribution of MUWs in the corpus. For this purpose, all MUWs found in the COLD were distributed in six main word classes (noun, verb, adjective, adverb, preposition and determiners) and their respective frequency was calculated in the corpus. While recording the identified metaphoric expressions, POS (Part of Speech) was also mentioned with them. Later, while organizing the data in MS Excel sheets, identified MUWs were arranged on the basis of word classes to determine the overall frequency of these identified MUWs according to their word classes. Table 4.3 below presents the statistics of the distribution of MUWs in word classes in the COLD in order of their respective percentage in the Corpus.

**Table 4.3**

*Percentage of Metaphors According to Word Class in COLD*

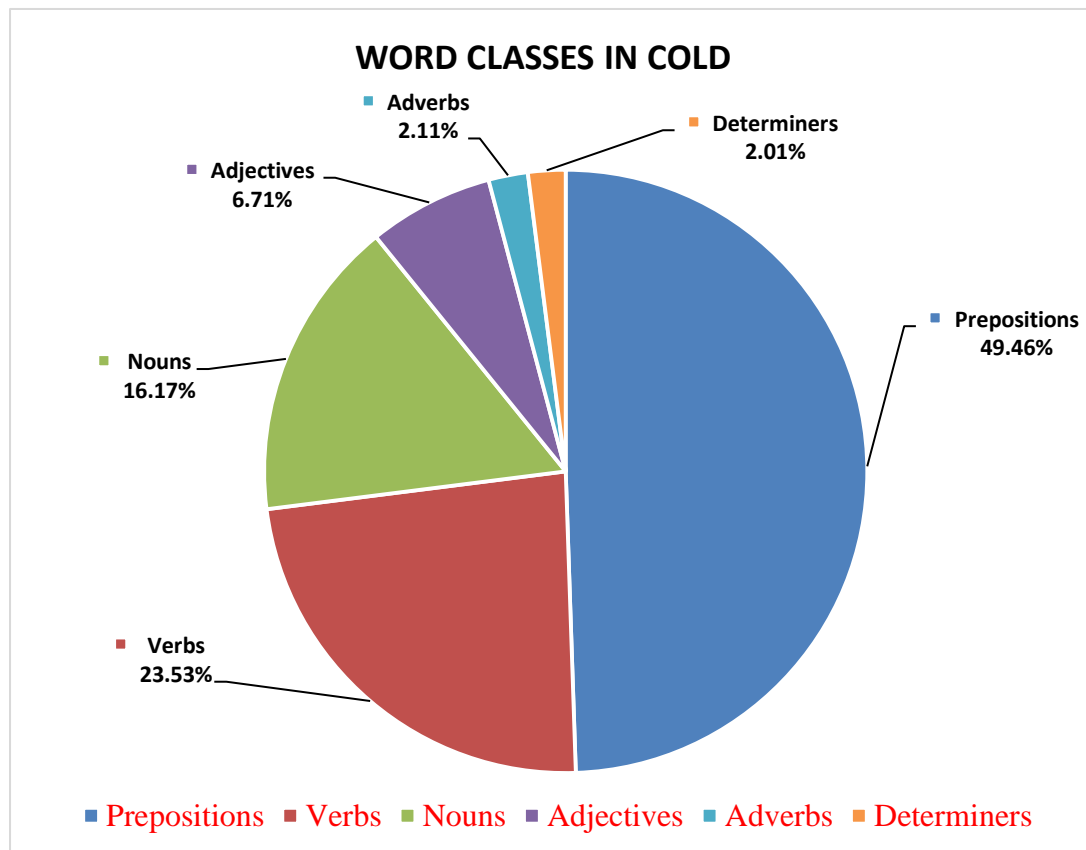
| <b>Word class</b> | <b>MUWs</b>  | <b>Percentage of MUWs in the corpus</b> |
|-------------------|--------------|---|
| Prepositions      | 32401        | 49.46                                   |
| Verbs             | 15413        | 23.53                                   |
| Nouns             | 10595        | 16.17                                   |
| Adjectives        | 4392         | 6.71                                    |
| Adverbs           | 1384         | 2.11                                    |
| Determiners       | 1318         | 2.01                                    |
| <b>Total</b>      | <b>65503</b> | <b>100%</b>                             |

Table 4.3 shows that the highest frequency of MUWs is observed for prepositions (49.46%), followed by verbs (23.53%) and then nouns (16.17%). These three classes represent 89.16% of the total MUWs in the Corpus. The other word classes have a minor share of MUWs with adjectives represented by 6.71%, adverbs represented by 2.11% and determiners represented by 2.01% share. These last three classes have a total share of just

10.84% in the list of MUWs. Figure 4.2 graphically represents these statics. Figure 4.2 graphically represents these statics.

**Figure 4.2**

*Distribution of MUWs in Word Classes in COLD*



However, it is to be noted that COLD was purposely built for this study only and was not annotated for POS tagging because of the limitation of time. So information about word classes for the whole corpus is not available. Word classes mentioned in Table 4.3 are only for the MUWs found in the corpus and were determined from their context while analyzing the concordance lines for establishing metaphoricity; hence they cannot be compared to the overall distribution of word classes in COLD (including lexical units representing both metaphoric and literal words).

#### **4.5 Types of Metaphors Based on Source Domains in the COLD**

According to CMT, metaphor is explained as understanding one domain of experience in terms of another and a different domain that involves a mapping from the source domain to

the target domain (Lakoff, 1993). The conceptual domain from which metaphorical expressions are drawn to understand the other domain is called the source domain, while the other domain which is understood with the help of the source domain is called the target domain. Generally, the source domains from which expressions are drawn are more concrete or physical while the target domains are generally more abstract concepts that are understood with the help of concrete source domains (Kövecses, 2010). Steen et al. (2010, p.11) also emphasize the importance of the source domain in the analysis of metaphor and assert that "the use of a conceptual domain as a source to understand and talk about another conceptual domain which functions as a target is the true basis for metaphor in the study of usage". Therefore, it is pertinent to analyze metaphors in discourse based on their source domains from where metaphorical concepts are mapped into the target domains, because it is relevant to the research questions of the study, especially to the second and third research questions, as source domain of metaphor throws light on the type of conceptualization and the role of metaphor in discourse. To analyze the patterns of projection from the source domains to the target domain, all the MUWs identified in the COLD corpus were grouped based on their source domains and their respective frequency was calculated. Details of the results are shown in the table below.

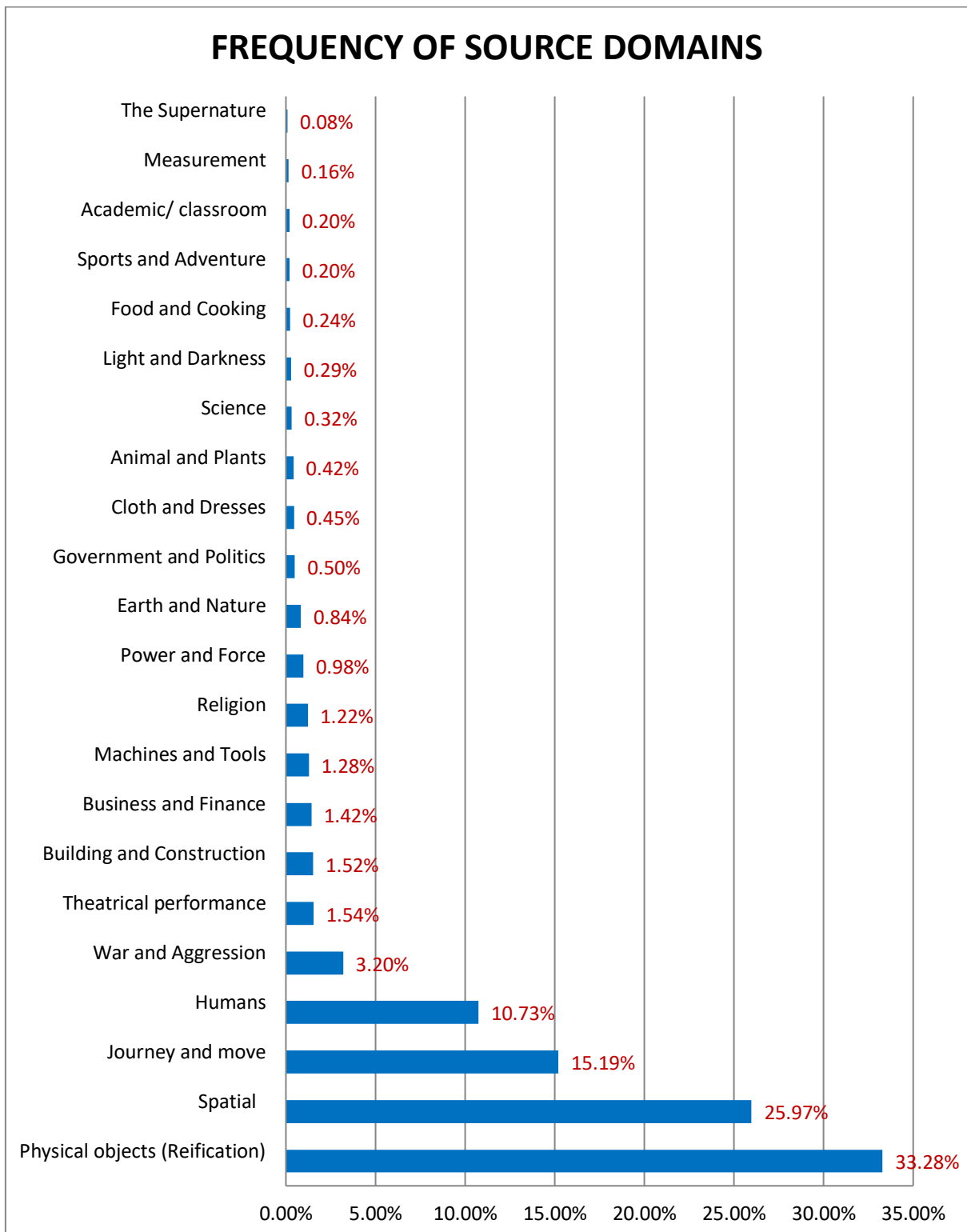
**Table 4.4**

*Source Domains and their Frequency in the COLD*

| <b>Source domain</b>           | <b>Frequency</b> | <b>Percentage</b> |
|--------------------------------|------------------|-------------------|
| Physical objects (Reification) | 21,804           | 33.28             |
| Spatial location               | 17,009           | 25.97             |
| Journey and move               | 9,951            | 15.19             |
| Humans                         | 7,027            | 10.73             |
| War and conflict               | 2,100            | 3.20              |
| Theatrical performance         | 1,008            | 1.54              |
| Building and construction      | 998              | 1.52              |
| Business and finance           | 930              | 1.42              |
| Machines and tools             | 836              | 1.28              |
| Religion                       | 798              | 1.22              |

| <b>Source domain</b>    | <b>Frequency</b> | <b>Percentage</b> |
|-------------------------|------------------|-------------------|
| Power and force         | 640              | 0.98              |
| Earth and nature        | 553              | 0.84              |
| Government and politics | 329              | 0.50              |
| Clothes and dresses     | 293              | 0.45              |
| Animal and plants       | 274              | 0.42              |
| Science                 | 209              | 0.32              |
| Light and darkness      | 191              | 0.29              |
| Food and cooking        | 158              | 0.24              |
| Sports and adventure    | 133              | 0.20              |
| Academic/ classroom     | 107              | 0.20              |
| Measurement             | 105              | 0.16              |
| The supernature         | 50               | 0.8               |
| <b>Total</b>            | <b>65,503</b>    | <b>100</b>        |

As the table above shows, metaphors used in the corpus come from several domains. However, the table also shows that a few of the source domains, including, physical objects, spatial location, journey and humans are the dominant source domains in COLD. In fact, these four source domains together cover 85.17 % of the whole metaphors found in the corpus, while all the rest of the source domains constitute only 14.83% of the metaphors in the corpus. These figures have been presented in graphical form in Figure 4.3.

**Figure 4.3***Source Domains and their Percentage in the COLD*

### 4.5.1 Domain of Physical Objects

In the above list of the source domains, some terms for the source domains have been used as umbrella terms and represent several sub-groups under the general name. For example, the term ‘Physical Objects’ represents types of metaphors where non-physical entities are represented as possessing physical properties like shape, weight, colour, size etc., and are represented as if they could be given, taken, broken, possessed etc., just like physical objects. Objectification i.e., assigning physical properties to non-physical entities was found as the largest form of metaphorical conceptualization in the present corpus. There are a total of 21,804 tokens of metaphoric expressions where the source domains are taken from physical objects. They make up 33.28 % of all MUWs in the corpus. Details of further subdivisions in the source domains of Physical Objects with their respective number of tokens are given in Table 4.4 below.

**Table 4.5**

*Sub-Domain in the Physical Objects Domain*

| <b>Source domains</b> | <b>Frequency</b> |
|-----------------------|------------------|
| Container             | 11,813           |
| Physical properties   | 6,489            |
| Possession            | 1,167            |
| Material/substance    | 551              |
| Shape, size, colour   | 677              |
| Liquid                | 257              |
| Weight                | 286              |
| Quantity              | 71               |
| <b>Total</b>          | <b>21,804</b>    |

Table 4.5 shows that among the physical objects, the container source domain is the most prominent source domain with 11,813 tokens in the corpus. However, the higher frequency of MUWs from the domain of container is due to the metaphoric use of prepositions like *in*, *within*, *outside*, *out* etc., thus making this the domain with the highest tokens in the corpus. Table 4.5 shows that, after the container source domain, the next highest source domains from Physical Objects are the source domain of general physical features including physical features like material composition, possession, material composition,

shape, size, colour, weight, quantity etc. Some examples from this domain are given below while detailed discussion about them has been carried out in Chapter 5.

#### **KWIC Concordance 4.4**

##### *Concordance Lines from the Domain of Physical Objects*

1. The scope of the Act or the vires of the Regulations cannot be determined by the words ***inserted*** in section 176A. {106const.p.}
2. The Federal Government will carry out legislation through the Parliament in the ***shape*** of an Act within six months. {106const.p}
3. Criminal Procedure Code has merely ***enlarged*** the appellate powers of the High Court. {94crl.a}
4. ***Heavy*** sentences ***massively outweigh*** the public interest in ensuring that a particular criminal is brought to book. {59c.p}
5. This would throw almost every taxpayer in ***breach*** of Section 116(2). {43const.p}
6. It also lacks the factual and legal ***material*** on which the Reference was based. {46const.p}

#### **4.5.2 Spatial Metaphors**

As shown in Table 4.4, the second largest source domain for metaphoric expressions in the present corpus is ‘spatial location’. MUWs from this domain have 17009 tokens in the Corpus and make up almost 26% of the total MUWs. Metaphoric expressions coming from spatial orientation like *behind the Act*, *under the clause*, *surrounding circumstances of the case*, *above the law* etc., are frequently occurring expressions in legal discourse. These Spatial metaphors can also be divided into sub-groups covering various aspects of spatial orientation, depending upon their source domains like location in space, horizontal and vertical orientation and domains originating from the centre-peripheral axis. The spatial domain is dominated by metaphors from the location in space and area, followed by horizontal, vertical and central-peripheral orientation as source domains for metaphors according to their order of frequency in the Corpus. Some examples from COLD are given below while detailed discussion is presented in Chapter 5.



## KWIC Concordance 4.5

### *Concordance Lines from the Domain of Spatial Orientation*

1. His case makes us think, whether we want our future generations to **descend** into a dystopia or grow **up** into a vibrant democracy. { 42const.p }
2. The Appellant has **abysmally** failed to provide these details. { 49c.a }
3. The President has been replaced as the **central** figure of the State by the PM. {46const.p }
4. This element of the offence of terrorism has been treated as the **pivotal** criterion for ascertaining the jurisdiction of a learned ATC. { 112crl.a }
5. Mr. Justice XXX was **elevated** as the Chief Justice of the XXX High Court. {46const.p}
6. Our Constitution **exalts** the right to privacy. { 46const.p }
7. The C.P. No. 2243-L & 2986-L of 2019 standard must be **high** in order to ensure that objectives which are trivial or discordant with { 59c.p }
8. England could do no wrong and what he did as a King was **above** the law and beyond the jurisdiction of Courts. {43const.p}
9. ... the Judge of the Supreme Court who is next in seniority **below** the Judges referred to in paragraph (b) of clause (2), and (b) {46const.p}
10. ...when an application under section 148, C.P.C. was made at the **lower** forum by the objectors ... {26c.a.txt}

### 4.5.3 Journey and Move

Journey is the next prominent source domain found in the present corpus to give rise to metaphoric expressions. These metaphoric expressions are realizations of a broader conceptual metaphor that Lakoff et al., (1991) have termed as LONG-TERM PURPOSEFUL ACTIVITY/ CHANGE IS A JOURNEY and elaborates that long term actions are accompanied by change in state, has a purpose and are prone to be affected by external events and thus the change experienced by individuals is understood as moving from one location to another. There are 9951 tokens of MUWs from this domain that make up 15.19% of the total MUWs in the COLD. A detailed discussion about these metaphors has been carried out in Section 5.3.3.1 under structural metaphors while some examples are given below.

## KWIC Concordance 4.6

### *Concordance Lines from the Domain of Journey*

1. At the very **outset**, it becomes clear that this plea of the petitioner raises two distinct issues; { 46const.p }
2. The Principles of Policy set out in the Constitution is the **path**, and the **destination**, that the nation has set for itself. { 60c.p }
3. The Courts are empowered to scan the evidence to **reach** at a conclusion. {112crl.a }
4. The Supreme Judicial Council to consider whether such a report contains sufficient information so as to **embark** upon an inquiry as envisaged under Article 209(5)... {46const.p}
5. They can at best return the complaint to the complainant and **guide** him to **approach** the constitutional forums. {42const.p. }
6. We have carefully **mapped** out the trajectory of the law since the inception of the 1965 Ordinance. {22c.a.}
7. It may also be noted that the “Marcel Principle” is not absolute and can be **deviated** from. {46const.p. }
8. Therefore, the objector/petitioner xxx has been **lingering** on this matter extending over a period of about 8 years... {18c.p. }

#### 4.5.4 Humans

The next prominent source domain in the COLD is *Humans* as they are a comparatively rich source for metaphorical projection after the domains of physical objects, spatial location and journey. They make 10.73% of the MUWs in the corpus with their 7027 tokens. The domain of humans in the corpus represents a general term for the types of metaphor coming from the source domains related to the human body, actions, emotions and attributes. As Table 4.6 shows, various characteristics of humans are used as source domains to represent entities and concepts as humans by rendering them qualities or attributes, normally attached to human beings.

**Table 4.6***Sub-Domains in the 'Humans' Domain*

| Source domain (humans) | Tokens in the corpus | Percentage |
|------------------------|----------------------|------------|
| Personification        | 3,089                | 43.96      |
| Health/sickness        | 588                  | 8.37       |
| Human body             | 536                  | 7.63       |
| Life/death             | 289                  | 4.11       |
| Body position          | 294                  | 4.18       |
| Emotions               | 266                  | 3.78       |
| Human relations        | 165                  | 2.35       |
| <b>Total</b>           | <b>7,027</b>         | <b>100</b> |

The most prominent type of metaphor coming from the domain of humans is personification where attributes related to humans like their actions, features are used for non-human entities, and non-human entities are presented as humans. These include examples of human actions like *recognized by law, to embolden freedom, Section 24 (d) mandates, required by law* etc.

**KWIC Concordance 4.7***Concordance Lines from the Domain of Human*

1. .. The law should **recognize** that they are independent actors and that the deeds of the one {42const.p }
2. Fundamental rights in a **living** Constitution are to be liberally interpreted so that they continue to embolden freedom... {106const.p }
3. Like Order II Rule (2) CPC **mandates** the Plaintiff to include the whole claim and seek all reliefs. {71c.p..txt }
4. Such principles of law do not **require** any further clarification on hypothetical considerations. The confusion, if any, is not {122c.a.txt }

Metaphors from the source domain of humans are not just confined to these examples alone. Other human attributes like human body parts, body posture, human emotions, human relations and life and death concepts have been used metaphorically for non-human and non-living objects. There are numerous examples where law is talked about in human terms like

*in the exclusive hands of the Supreme Judicial Council, adopt the procedure, miscarriage of justice, injures the dignity of man* etc. Detailed discussion about this domain has been made in Section 5.3.2.4.

As discussed earlier, these four source domains i.e., Physical objects, Spatial orientation, Journey and Move and Humans are the most dominant source domains and have 55,788 tokens in the corpus that make up more than 85% of the total MUWs in the Corpus.

#### 4.5.5 Minor Source Domains

In addition to the above four dominant source domains, there are various other minor source domains found in the corpus which have been used to conceptualize the target domains. These include source domains from *War and Conflict* with 2,100 tokens making 3.20% of the corpus, *Theatre* with 1,008 tokens making 1.54% of MUWs, *Building and Construction* with 998 tokens making 1.54% of the MUWs, *Business and Finance* with 930 tokens and 1.42 % share, *Machines and Tools* with 836 tokens and 1.28 % share and *Religion* with 798 token and 1.22% share of all the MUWs in the corpus. Additionally, some other source domains were found in the corpus but their share was less than one percent each. They include *Earth and Nature, Science, Clothes and Dresses, Animals and Plants, House and Household Items, Light and Darkness, Food and Cooking, Time, Sports and Adventure, Measurement, Academic/ Classroom, the Supernature* etc. However, their total share was less than 5% in the corpus.

#### KWIC Concordance 4.8

##### *Concordance Lines from Minor Source Domains*

1. The judiciary must be free from executive **pressure** or influence which has been {43const.p.}
2. ...necessary legislation will be brought into effect within six months to plug this legal **vacuum**. { 106const.p}
3. Antiterrorism law in our country has brought about a **sea** change in the whole concept {112crl.a.}
4. the whole process initiated under the **garb** of accountability of the Petitioner Judge suffers from...{ 42const.p }
5. The respondents however neither denied the above said essential requirement of **feeding** the exact address, {43const.p}

6. The aim is to create a *level playing field* between the two and treat them. { 8c.a.txt }
7. It is also instructive to refer to the *spirit* of Article 203. {106const.p }
8. For the enforcement of his fundamental rights in our country is not *alien* to the Constitution. { 46const.p }
9. It may be that the greater and clearer the falsehood, the more difficult the task of *extracting* the truth. {135Crl.M.A }
10. AGP ... informed us that on the basis of a complaint *lodged* by the learned Judge FIR. { 123const.p }

#### 4.5.6 Summary of the Chapter

This chapter presented a description of quantitative data analysis. The analysis revealed that 13.6% of the corpus consisted of metaphoric expressions. The analysis also revealed that these metaphoric expressions were not uniformly distributed as far as their word classes were concerned. The highest frequency was observed for prepositions (49.46%), followed by verbs (23.53%) and then nouns (16.17%). These three classes represent 89.16% of the total MUWs in the Corpus. The other word classes included adjectives (6.71%), adverbs (2.11%) and determiners represented by (2.01%) presence. However, these last three classes had a minor share of just 10.84% of metaphoric expressions as a whole. The distribution of these metaphoric expressions according to their source domains was also not uniform. The most prominent source domains observed were Physical objects (33.28%), Spatial location (25.97%), Journey and move (15.19%) and Humans (10.73%). Chapter 5 presents a detailed discussion of the analyzed data and its implications in the light of research questions of the study.

## **CHAPTER 5**

### **FINDINGS AND DISCUSSION**

#### **5.1 Overview of the Chapter**

This chapter discusses the results of data analysis in the light of three research questions. The first part starts with a discussion on the results in light of Research Question 1 which is related to determining the frequency of metaphor in the selected legal discourse. Apart from the absolute frequency of MUWs, the frequency of MUWs as per their word class has also been discussed in this section. In the next part of the chapter, types of metaphors in the present discourse have been discussed in light of Research Question 2. In the last part of the chapter, discussion on the role of metaphor in the selected legal discourse has been carried out in the light of Research Question-3, where its three important roles have been highlighted that include communicative, persuasive and ideological roles in the selected legal discourse.

#### **5.2 Answer to Research Question-1: What is the frequency of metaphorical expressions in the Pakistani legal discourse?**

This part of the study deals with discussion on quantitative data analysis of the Corpus. Along with the total number of MUWs in the corpus that was calculated and their percentage was determined, data analysis also revealed the frequency of a particular MUW and showed how common or typical their use was in the corpus (Charteris- Black, 2004). The answer to the first Research Question has been explored from two dimensions. In the first place, the absolute frequency of metaphorically used words (MUWs) has been discussed in Section 4.3. In the second place, the distribution of these MUWs across word classes has been explored and discussed based on data obtained in Section 4.4.

##### **5.2.1 Frequency of MUWs in the COLD**

CMT claims the ubiquitousness of metaphor in all types of human language and says that the human thought system is predominantly metaphorical (Lakoff, 1993). It even proffers

numerous examples as evidence to support its claim. Lakoff and Johnson (2003), while acknowledging the sources of their linguistic evidence at the start of their work, say that linguistic evidence for their claim was obtained through various informal means. However, this is one of the weak areas pointed out in CMT as there is not enough empirical data to support and validate its claim. CMT has been criticized for presenting invented, decontextualized and introspection-based examples in support of its claim (Semino, 2008; Deignan, 2005; Cameron and Deignan, 2006; Gibbs 2007, Kövecses 2009). Recent research in the field of metaphor is particularly focused on addressing this weakness by analyzing real language for metaphors instead of relying on invented examples. Developments in the field of Corpus Linguistics have further facilitated this approach as empirically analyzing metaphor in discourse has become one of the principal objectives of several studies in recent years. One of the aims of the present study is to find the frequency of metaphor in the selected legal discourse as has been expressed in Research Question 1. Empirical data on the frequency of MUWs in a register or discourse is important from the point of view that even earlier views about metaphor in the classical tradition were mere assumptions and were not based on any empirical data. As pointed out by Deignan (2005), the decorative approach to metaphor made its claims without paying attention to determining the frequency of metaphor in actual texts as no systematic approach was available. Metaphor was relegated to its stylistic role in literary and rhetorical registers in the absence of any empirical data and without studying other genres for their presence, frequency and role. They simply confined metaphor to fiction and rhetorical discourse based on assumptions and retrospections. However, empirical research based on statistical evidence has rejected claims of the traditional approach to metaphor. For example, studies by Steen et al. (2010) and Dorst (2015) have statistically revealed that contrary to the common belief and expectations, fiction had the least number of metaphor-related words in the three written registers including fiction, academic and news registers which they analysed. The frequency count of metaphorically used words is also important as it shows that in some cases the figurative sense of the words is more frequent than their literal use (Sinclair, 1991; Lewis, 1993; Deignan, 2005).

Deignan (2005) strongly supports the frequency count of metaphoric expression in discourse by examining data from discourse instead of introspection. Numerous studies have been undertaken in a wide range of registers to investigate the claims of CMT that metaphor is prevailing in all sorts of discourse, leading to a variety of results. In legal discourse, it might be expected, based on introspection that, because of the nature of legal discourse that is

characterized by extreme precision of expression (Mellinkoff, 1963) and the need for linguistic clarity and accuracy (Mattila, 2006), metaphor would be ideally excluded from law to ensure clarity, comprehensibility and rationality. However, this assumption has been negated in several earlier studies on the legal register and the present study as well. The present study examined the selected legal discourse in Pakistan to find out the frequency of metaphors. Table 5.1 below shows a summary of the results of the analysis of metaphor in the legal discourse.

**Table: 5.1**

*Percentage of MUWs in the COLD*

| <b>Total number of lexical units in the corpus</b> | <b>Number of MUWs</b> | <b>Percentage of metaphors in discourse</b> |
|--|-----------------------|---|
| 481,577  | 65,503                | 13.60                                       |

As shown in Table 5.1, the study revealed that there were 65,503 lexical units (13.60%) in the corpus that were used metaphorically, out of the total 481,577 lexical units in the Corpus. That means that 416,074 lexical units in the corpus were used with their literal meanings in the corpus which makes 86.40% of the whole corpus, while 65,503 lexical units were used metaphorically. Statistically speaking, non-metaphorically used words and metaphorically used words had a ratio of 6.35 to 1 in the Corpus. This implies that, on average, one in almost every six and a half words is metaphoric in the COLD. Steen et al., (2010) estimated that the average length of an independent clause is roughly about eight words and calculated the number of metaphoric expressions found in their study by dividing the total number of words in the corpus by the number of metaphor-related words found and concluded that every independent clause, on the average, contains one metaphor in their study. Applying Steen et al., (2010) criteria to the present analysis, we may assume that on average, at least one metaphor is present in each independent clause in the selected legal discourse. However, keeping in view the nature of legal language, where, usually, clauses are larger than in the Standard English language, these results imply that, on average, more than one metaphor is present in each clause in COLD.

The frequency count observed in the present study is consistent with observations and findings of several other studies undertaken to find out the frequency of metaphors in different discourses. Thibodeau, et al., (2019), who have based their statement on

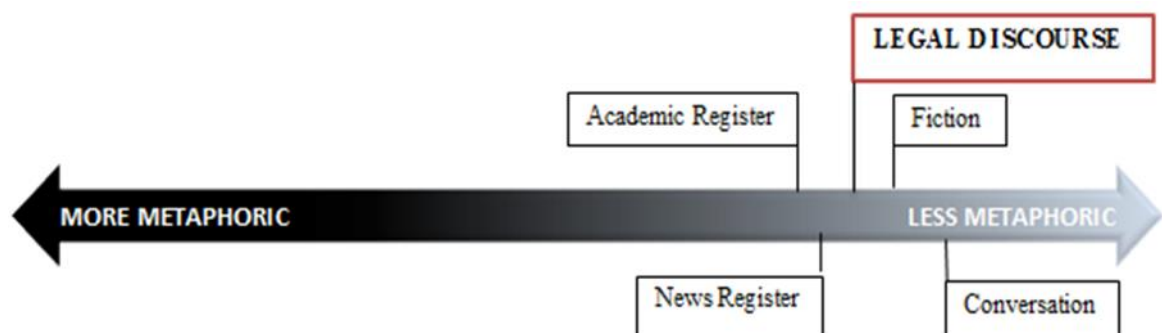


observations by various scholars (including Geary, 2011; Steen et al., 2010, Steen, 2008), say that 10% to 20% of natural discourse consists of figurative language that includes metaphors and other figurative devices. Steen (2008) also noted that only 13.5% of the corpus in their study consisted of metaphor-related words when spoken discourse was also included. Steen et al., (2010) analysis of four registers involving three written registers and one conversation found that, in written discourses, the academic register contained the highest percentage (i.e., 17.5%) of metaphorically used words, followed by news (15.3%) and fiction (10.8%), with a combined average percentage of 14.5% in the three written registers. Findings from the present study with its results of 13.60% MUWs are closer to the pattern observed in the study by Steen et al., (2010), although it was based on analysis of a different register and using a different approach (e.g., their study was all manual and involved four researchers working on the project for six years and also included direct metaphors i.e., simile).

Steen et al., (2010) made further analysis of these registers using Biber's (1988 & 1989) multi-dimensional analysis model and concluded that the higher frequency of metaphors in the academic register (17.5%), followed by the news register (15.3%), was due to the abstract nature of contents, their informative purpose and situation-independent reference in the two written registers that may require the use of metaphorical mapping and language to express abstract concepts as compared to the involved, non-abstract and situation-dependent nature of conversation where metaphor had a frequency of only 6.8%. Fiction with a frequency count of 10.8%, sharing features of both written registers and conversation, was found lying between the two written registers on the one side and conversation on the other, as per Biber's (1988 & 1989) criteria.

### Figure 5.1

*Comparison of Metaphor Frequency from COLD Corpus with Steen et al., (2010)*



If we compare results from the present study with the findings of Steen et al., (2010), the frequency of metaphors in legal discourse with a frequency score of 13.60% (closer to the overall average of Steen's results) falls at third place in the continuum, after academic and news register and above fiction and conversation of Steen et al., study as shown in Figure 5.1.

A similar multi-dimensional analysis of eight genres of Legal English in Pakistan was performed by Asghar et al., (2018), using Biber's (1988) model. Their analysis was based on five dimensions including involved/informational production dimension, narrative/non-narrative dimension, explicit/situation dependent reference dimension, overt expression of persuasion dimension and abstract/non-abstract information dimension using 67 linguistic variables. Their study revealed, among other things, that different genres of legal English in Pakistan vary significantly along each dimension. However, relevant and of interest to the present study, were the features observed in the genre of legal decisions. Judging on Biber's (1988) model, the study found that all legal genres including legal decisions are informational in nature and are marked by the characteristic high frequency of nouns, prepositions and adjectives. Similarly, all genres were found to be explicit context-independent informational to various degrees; however, legal decisions scored lower than many other genres as it was the second lowest on this dimension. On the aspect of the persuasion dimension, legal decisions also scored less in their study. Legal decisions were also found to be the highest on the scale for impersonal, abstract and objective information among all the legal genres. However, unlike all other genres, directives and legal decisions were on the positive side for containing narrative features in the form of third person pronouns, past tense verb forms, perfect aspect verbs and public verbs used for expository information and procedural history that is characteristic of legal decisions (Asghar et al., 2018).

Now looking at the findings of the present study in the light of Asghar et al., (2018) analysis of Pakistani Legal English, we may infer that legal decisions in Pakistan share some of the features of the academic register for being informational, possessing abstract contents and being objective and impersonal. These features qualify legal decisions as a genre for the likelihood of displaying metaphorical frequency comparatively closer to the academic discourse. However, being comparatively less context-independent informational and containing narrative features like the use of the past tense verb forms, third person pronouns, perfect aspect verbs and public verbs may push it towards the side of fiction as far as metaphor count is concerned. Similarly, in Steen et al., (2010) analysis, fiction contained the

highest number of verbs as metaphors among the word classes as compared to the other two written registers; in the present study too, the highest category of lexical words that are used metaphorically are verbs (excluding prepositions for being non-lexical words). The combination of these features of the selected legal discourse in the present study may be the reason for the legal discourse to fall midway between the two registers by scoring less than the academic register and news register on metaphor count but more than fiction.

The results of the study about the frequency of MUWs in the corpus have important implications. The results show that metaphor is ubiquitous and pervasive in the legal discourse consisting of court judgments in Pakistan like any other discourse, as claimed by CMT. These findings also validate the claims of Winter (2008) who considers metaphor an indispensable part of human thought and a basic dimension of human reason and asserts that despite efforts to free the law from figurative language, it could not happen. The findings also bear out the claims of Mannoni (2021) that due to the abstract nature of law, metaphors are ubiquitous in legal language.

Contrary to the assertions made by Mattila (2006) that legal language should be free from affective and emotional elements that distract attention and in contrast to his observations who said that modern legal language contains rare examples of metaphor, the present study found that legal discourse in the context of Pakistan falls within the parameters of metaphor frequency like any other discourse as the frequency of metaphors in COLD is compatible with the percentage of frequency in any other discourse.

However, as shown in the results, only 13.60% of the total lexical units in the COLD Corpus are metaphoric vis-à-vis 86.40% of lexical units that have been used in their more basic and literal senses. This appears to be in contrast to the claims of CMT, for example, Lakoff's (1993) claim that ordinary everyday English is largely metaphorical. Like Steen et al., (2010) who observed that claims of CMT about metaphor are not confirmed by the empirical data, the findings of this study also do not support Lakoff's (1993) claim about the predominance of metaphor in language. Nevertheless, the incompatibility in the observations about metaphors in discourse may be attributed to factors like difference in the criteria and definitions of metaphor and the analysis procedure adopted in this study. The present study, like Steen et al., (2010), analyzed metaphor from the viewpoint of a modern user of language and supports the observations of Deignan (2005) and Steen et al., (2010) that, depending upon the definition of metaphor adopted, a language may have more metaphors if analyzed

from a historical perspective by including the analysis of the historically original meaning of all words; however, with the passage of time and development of language, the metaphorical character of words is lost for a modern user of language because of loss of the original meaning with time as that becomes obsolete and is accessible only through etymological search.

### 5.2.2 Distribution of MUWs as Per Word Classes in the COLD

In addition to the absolute frequency of metaphors in the selected discourse, this study also analyzed the corpus for the distribution of MUWs as per their word classes. As observed by Steen et al., (2010), metaphor is not homogeneously distributed across word classes, so this analysis was undertaken to get a picture of word class distribution in the selected corpus under study. For this purpose, the frequency of six word classes (noun, verb, adjective, adverb, preposition and determiners) was studied. Table 5.2 below presents the results of word classes in the COLD in order of their respective percentage in the Corpus.

**Table 5.2**

*Percentage of Metaphors according to Word Class in COLD*

| <b>Word Class</b> | <b>MUWs</b>  | <b>Percentage</b> |
|-------------------|--------------|-------------------|
| Prepositions      | 32401        | 49.46             |
| Verbs             | 15413        | 23.53             |
| Nouns             | 10595        | 16.17             |
| Adjectives        | 4392         | 6.71              |
| Adverbs           | 1384         | 2.11              |
| Determiners       | 1318         | 2.01              |
| <b>Total</b>      | <b>65503</b> | <b>100</b>        |

As shown in Table 5.2, prepositions are the highest in frequency that have been used metaphorically in the present Corpus with a frequency count of 32401, making 49.46 % of all the MUWs. Forty prepositions were identified as metaphorically used having a frequency count of 32401 tokens in the Corpus. Most of these prepositions belong to the category of spatial prepositions (*in, on, inside, within, under, above, to, outside, at, against, before, after, through, between, over etc.*) where their spatial concept is extended to abstract concepts like

*law, constitution, act* etc., conceptualizing these abstract concepts as spatial concepts. These propositions have been generally used to conceptualize abstract concepts in terms of container, location, orientation and movement. The preposition with the highest metaphoric frequency in the present study was the preposition '*in*' with a frequency count of 10342 out of its total 11241 instances in the corpus.

As discussed in Section 5.3.3.2, Ontological metaphors are the highest number of metaphor types observed in the present study where abstract ideas or concepts are projected as physical entities. One of the types of Ontological metaphors is known as *container metaphors* where abstract ideas are presented as physical objects having boundaries. In the present corpus, 11813 instances of *container metaphor* were found, most of which are expressed through prepositions like *in, out, within, outside* (e.g., *in view of the provision, in the above order, arising out of the case, within the four corners of the principle, outside the scope*). In addition to container metaphors, there are other types of Ontological metaphors which are based on the use of prepositions like *on, through, at* etc. Similarly, in the Structural metaphor type (discussed in Section 5.3.3.1), the journey metaphor is the most dominant of all. In that category too, prepositions like *to, from, onto, into, towards* etc., are found in large numbers to conceptualize abstract domains in terms of movement (For example, *granted to the Petitioner, proceedings from the law, a tendency towards falsehood, all along the case of the prosecution, inquire into the allegations, the burden of proof has shifted onto the accused*). Similarly, a large number of prepositions in the corpus are used in realizing metaphors of the Orientational type. They include prepositions like, *above/below, up/down and over/ under, before/after, and inner/outer* (For example, *above the law, seniority below the judges, complete cycle of remedy up to apex Court, Can he resign or step down?, administrative control over the affairs of the Pakistan Bar Council, the Court constituted under the Act, to file an appeal before the Division Bench of the High Court, after the identification proceedings, The inner urge for freedom*). Moreover, texts from the legal genre are characterized by intra-textual references like *in the above-mentioned case, clause reproduced below, reads as under* etc. These reasons account for such a large number of metaphoric uses of prepositions in the corpus and explain why only 40 prepositions are responsible for having the highest metaphoric frequency of MUWs as a word class.

Steen et al., (2010) say that in their analysis of four registers, they found prepositions and verbs to be consistently used as metaphors more often than other word classes. In the

present study as well, prepositions and verbs have the highest frequency of MUWs in the corpus as compared to other word classes. They make up 73% of all the MUWs in the corpus. Steen et al., (2010) particularly observed that prepositions are biased towards metaphorical than non-metaphorical use as they found that 40% of preposition use was metaphorical. They infer that it is probably because of the reason that basic meanings of prepositions are rooted in space while they are often used for abstract relations including temporal relations. In the present study, 67.79% of the usage of these forty prepositions was noted to be metaphorical as shown in Table 5.3 below:

**Table 5.3**

*Frequency and Percentage of Prepositions in the COLD*

| <b>Preposition</b> | <b>Total number in the corpus</b> | <b>Used as metaphor</b> |
|--------------------|-----------------------------------|-------------------------|
| in                 | 11,241                            | 10342                   |
| to                 | 13,271                            | 4397                    |
| on                 | 3,436                             | 3407                    |
| with               | 2,407                             | 2271                    |
| under              | 2,140                             | 2140                    |
| from               | 1,641                             | 1425                    |
| at                 | 1,203                             | 1053                    |
| against            | 1,051                             | 1051                    |
| before             | 997                               | 824                     |
| by                 | 5285                              | 754                     |
| through            | 736                               | 736                     |
| after              | 523                               | 523                     |
| into               | 510                               | 498                     |
| upon               | 476                               | 476                     |
| above              | 429                               | 429                     |
| within             | 380                               | 380                     |
| between            | 313                               | 308                     |
| out                | 538                               | 260                     |
| upon               | 486                               | 486                     |
| about              | 255                               | 240                     |
| over               | 186                               | 160                     |
| below              | 145                               | 145                     |
| down               | 140                               | 110                     |
| beyond             | 84                                | 83                      |
| up                 | 249                               | 81                      |
| behind             | 80                                | 71                      |
| towards            | 69                                | 68                      |
| after              | 58                                | 58                      |

| Preposition  | Total number in the corpus | Used as metaphor |
|--------------|----------------------------|------------------|
| off          | 39                         | 24               |
| around       | 25                         | 22               |
| outside      | 28                         | 15               |
| across       | 21                         | 9                |
| near         | 12                         | 8                |
| front        | 21                         | 7                |
| beside       | 6                          | 6                |
| unto         | 9                          | 9                |
| Via          | 4                          | 4                |
| Onto         | 3                          | 3                |
| next to      | 3                          | 2                |
| Astride      | 1                          | 1                |
| Inside       | 10                         | 1                |
| <b>Total</b> | <b>48,511</b>              | <b>32401</b>     |

Sabir (2018) observed that in his study, 'in' and 'on' were the most frequent, productive and widely used prepositions in the metaphoric sense. However, in the present study, it was observed that 'in' and 'to' and followed by 'on' are the most frequent prepositions found in COLDF. As shown in Table 5.3, many prepositions like *under, against, through, after, upon, above, within, beside, unto, via, onto, below, down, beyond, up, behind, towards, and after* have been solely used metaphorically in the corpus. This may probably be because of the nature of the discourse as most of these prepositions conceptualize law as a container or used in orientational metaphor to express the hierarchical relations and cross-references in legal discourse.

The second category as per frequency in the corpus is *verbs* having a frequency of 15413 tokens and a percentage of 23.53 % of all the MUWs in the corpus. They are, in fact, the highest in frequency in the category of lexical words. Table 5.4 shows the frequency of the top ten verbs in the corpus. As shown in Table 5.4, most of these top ten verbs have been used metaphorically to project abstract things as concrete objects through mapping from physical domains (For example, *to provide the necessary structural underpinning, hold a different view of the Constitution, has the power to undertake an enquiry, court to give judgment, the offences falling within the ambit of the Act*).

Most of the verbs (6514 out of the total 15413) in the corpus have been used for the purpose of reification where abstract entities have been projected as having physical properties. As discussed in Section 5.3.3.2, Ontological metaphors are highest in frequency in

the present corpus and reification has been observed as the dominant category comprising all word classes with 16305 frequencies; the highest number of metaphorically used verbs also belongs to this category.

**Table 5.4**

*Top Ten Verbs as per their Frequency in COLD*

| Order as per Frequency | Verb     | Frequency |
|------------------------|----------|-----------|
| 1.                     | provide  | 651       |
| 2.                     | hold     | 627       |
| 3.                     | has/have | 625       |
| 4.                     | give     | 471       |
| 5.                     | hear     | 411       |
| 6.                     | view     | 381       |
| 7.                     | find     | 340       |
| 8.                     | place    | 317       |
| 9.                     | seek     | 274       |
| 10.                    | fall     | 230       |

Personification is another prominent category where the second highest number of verbs has been used metaphorically. In personification, non-human entities serve as the subject of verbs that are normally associated with human agents (Steen et al., 2010). Metaphors belonging to the category of personification have 3089 tokens in the corpus. Since personification is a dominant category of ontological metaphors in all word classes, a high number of lexical verbs reflect the same pattern here as well. The top ten verbs frequency-wise from this category are shown in Table 5.5. (e.g., *judicial institution **stand** on public confidence, as **prescribed** by the constitution, certificate **required** by law, these agencies are **regulated by law**, These facts apparently **attract** the provisions, Ms. xxxx, Advocate **adopted** those arguments*).

**Table 5.5**

*Top Ten Verbs of Personification Metaphor in COLD*

| Order as per frequency | Verbs     | Frequency |
|------------------------|-----------|-----------|
| 1                      | stand     | 185       |
| 2                      | prescribe | 163       |
| 3                      | require   | 155       |



| Order as per frequency | Verbs     | Frequency |
|------------------------|-----------|-----------|
| 4                      | reproduce | 120       |
| 5                      | meet      | 120       |
| 6                      | mandate   | 100       |
| 7                      | regulate  | 93        |
| 8                      | exercise  | 90        |
| 9                      | attract   | 86        |
| 10                     | adopt     | 80        |

Verbs realizing journey metaphor in the structural category is the next dominant category. There are 1722 verbs used in the corpus for this purpose. As discussed in Section 5.3.3.1, Journey is the third most dominant category of source domain in the Structural type of metaphor. So, we find a high number of verbs used in the corpus belonging to this type of metaphor. Table 5.6 shows the top ten verbs related to journey as per their frequency in the Corpus along with their respective frequencies.

**Table 5.6**

*Top Ten Verbs Related to Journey Metaphor in the COLD*

| Order as per frequency | Verbs    | Frequency |
|------------------------|----------|-----------|
| 1.                     | follow   | 219       |
| 2.                     | come     | 193       |
| 3.                     | go       | 137       |
| 4.                     | proceed  | 118       |
| 5.                     | lead     | 110       |
| 6.                     | leave    | 78        |
| 7.                     | approach | 60        |
| 8.                     | move     | 52        |
| 9.                     | advance  | 47        |
| 10.                    | reach    | 43        |

War and conflict form the next dominant source domain in the Corpus. Apart from nouns and adjectives, there are 548 verbs in the corpus which conceptualize law and a few other target domains in terms of war. Table 5.7 shows the top ten verbs from this category.

**Table 5.7***Top Ten Verbs Related to War Metaphors in the COLD*

| Order as per frequency | Verbs     | Frequency |
|------------------------|-----------|-----------|
| 1                      | protect   | 130       |
| 2                      | defend    | 53        |
| 3                      | secure    | 50        |
| 4                      | assail    | 37        |
| 5                      | confront  | 33        |
| 6                      | array     | 28        |
| 7                      | defeat    | 28        |
| 8                      | surrender | 17        |
| 9                      | launch    | 15        |
| 10                     | trigger   | 13        |

The remaining of the verbs used in the Corpus belong to other categories of metaphors including *construction, theatrical performance, senses, business and orientation*. In the present corpus, next to prepositions which have been predominantly used in orientational metaphors, the category of verbs is the most dominant category among the lexical words. Most of these verbs belong to the category of *action verbs*, related to our bodily experience with the physical objects and physical world. As mentioned by Lakoff and Johnson (1980) in their embodiment hypothesis, our experience with the world including physical objects and our own body provide the basis for a wide variety of metaphorical projections. It is natural to find verbs related to our experience with physical objects like *holding, giving, bringing, forming* etc. to be used as source domains for conceptualizing abstract objects. Similarly, a wide variety of action verbs related to our body experience like *go, come, stand, proceed* etc., are used to speak metaphorically of experiences that are not concrete or human.

The next category of word class that is the most frequent in the present corpus is *noun* with a total token of 10595, making 16.17% of all MUWs in the COLD. Among nouns, the most frequent are those related to physical objects with their 2860 instances. As discussed earlier, presenting abstract objects in terms of concrete ones is the most common type of metaphors observed in the present study which is also reflected by the large number of nouns coming from concrete objects in the Corpus. Similarly, nouns related to the human body and

human actions form the next major group in this category where nouns like, *hand, body, head, life* etc., are used to understand abstract concepts from law like *act, law, constitution, article* etc., along with other target domains. It is followed by nouns from the source domain of journey like *position, way, course, step* etc., based on the human experiences of journey that are projected to abstract concepts to give rise to structural metaphors. Likewise, human experience with war provides nouns like *challenge, defence, protection, parade, occupier* etc., to give rise to structural metaphors and their frequency comes next to nouns from the domain of journey in the present study. In COLD, nouns from some other domains like *building, religion, sports, plants, animals* etc., have been used metaphorically but their number is less than the number of categories mentioned earlier. The above discussion shows that nouns predominantly from the domains of concrete physical objects and human experience with the world provide the vehicle terms for the creation of metaphor in the present corpus.

In addition to the above, the other word classes of MUWs are *adjectives, adverbs and determiners*. There are 4392 MUWs belonging to the adjective class which make up 6.71% of all MUWs. In this category, the top group is that of adjectives belonging to spatial orientation. Words like *high, supreme, superior, inferior* and *low* which denote vertical orientation are the most frequent. These adjectives from the lexical words collaborate with non-lexical words like prepositions *up, down, over, under* etc., to give shape to the Orientational metaphor in the discourse. One important observation made during analysis was that the majority of adjectives identified as metaphoric in the corpus are predominantly used in their metaphoric sense rather than their literal sense. In the majority of the cases, no instance of their literal sense was observed in the corpus. As shown in Table 5.8, among the top twenty metaphoric adjectives observed in the corpus, the majority of them have not been used in the Corpus in the literal sense (except some highlighted in grey and marked with \*).

**Table 5.8**

*Top Twenty Adjectives Used as Metaphors in the COLD*

| Order as per frequency | Lexical unit | Total tokens | MUWs |
|------------------------|--------------|--------------|------|
| 1.                     | high         | 1013         | 1013 |
| 2.                     | supreme      | 425          | 425  |
| 3.                     | *subjected   | 345          | 189  |

| Order as per frequency | Lexical unit | Total tokens | MUWs |
|------------------------|--------------|--------------|------|
| 4.                     | superior     | 141          | 141  |
| 5.                     | clear        | 139          | 139  |
| 6.                     | *independent | 139          | 133  |
| 7.                     | fresh        | 98           | 98   |
| 8.                     | *large       | 91           | 89   |
| 9.                     | settled      | 87           | 87   |
| 10.                    | *void        | 68           | 64   |
| 11.                    | *full        | 84           | 83   |
| 12.                    | *whole       | 93           | 82   |
| 13.                    | *regular     | 74           | 70   |
| 14.                    | *short       | 75           | 67   |
| 15.                    | free         | 63           | 63   |
| 16.                    | vested       | 54           | 54   |
| 17.                    | following    | 52           | 52   |
| 18.                    | *long        | 79           | 52   |
| 19.                    | apart        | 35           | 35   |
| 20.                    | *lower       | 36           | 34   |

Even in the case of adjectives which have both metaphoric and literal instances present in the Corpus, in most of the cases, their number with metaphoric sense is larger than their literal sense. The same pattern is visible for almost all 238 token types of adjectives that have been identified as metaphoric, where their metaphoric sense is more dominant than their usage in the literal sense, except for a few adjectives where the opposite trend has been observed as shown in Table 5.9.

**Table 5.9**

*Adjectives in the corpus with dominant literal use*

| Adjectives | Total number in corpus | Used as metaphor |
|------------|------------------------|------------------|
| dead       | 14                     | 4                |
| big        | 6                      | 2                |
| injurious  | 4                      | 2                |

|       |   |   |
|-------|---|---|
| red   | 4 | 2 |
| rich  | 5 | 2 |
| black | 5 | 1 |

Adverbs and determiners are the least frequently used in metaphoric sense in the present Corpus with frequencies of 1384 and 1318 respectively. Adjectives, adverbs and determiners collectively constitute only 10.82% of the whole MUWs in the COLD in comparison to almost 89% combined share of prepositions, verbs and nouns. From the above discussion, it is clear that in the lexical category, verbs, nouns and adjectives are the most dominant word classes used metaphorically in the present corpus. Verbs from the domain of human actions and nouns from the domain of concrete physical objects are the dominant source domains to project abstract actions in the target domain of law. In the present study, prepositions are the highest in number, followed by verbs and then nouns in MUWs. It was observed in the analysis that the proportions of various word classes in the present corpus did not follow any of the patterns found in different registers analyzed by Steen et al (2010). As discussed above, prepositions, verbs and nouns collectively make up 89% of all the MUWs in the COLD. These findings can be compared with that of Steen et al (2010), who concluded that three-word classes of prepositions, nouns and verbs accounted for 80% of all MRWs in the registers of news and academic texts while they account for 75% in fiction and 66% in conversations. The higher percentage of these three combinations in the COLD Corpus is attributable to the very high percentage of prepositions in the metaphoric sense in COLD.

Steen et al (2010) observed that if a particular word class is typically associated with a particular discourse and has an important function there, there is a likelihood of their large number in that discourse and hence likely chances of greater frequency as a metaphor. As Asghar et al., (2018), in their analysis of legal discourse in Pakistan observed that directives and legal decisions had more narrative features that are characterized by the use of third-person pronouns, past tense verb forms, perfect aspect verbs and public verbs that have been used for expository information and procedural history that is characteristic of legal decisions as compared to other genres of legal discourse. As COLD was not initially tagged for POS, no data about the percentage of word classes in the complete corpus is available. However, based on the observations made by Asghar et. al., (2018), about the legal discourse in Pakistan, it might be assumed that prepositions and verbs are prominent word classes (including both metaphoric and non-metaphoric use) in the present discourse. Analysis of

COLD has shown that these two categories have the highest frequency of metaphoric use. Nouns also play a significant role in the present discourse after prepositions and verbs because of their role in information production (Biber, 1998) and make up the third largest word class as far as the frequency of metaphor is concerned.

### **5.3 Answer to Research Question 2: What types of metaphors are frequently employed in the Pakistani legal discourse?**

The second question of this study was related to the types of metaphors in the selected discourse. This was more of a qualitative analysis, although in determining the typical pattern of usage in the discourse, quantitative statistics were used to determine repeated patterns in the use of particular MUWs or the dominance of a particular domain. A variety of criteria have been mentioned by scholars and researchers to classify metaphors based on various features of metaphor. Kövecses (2010) has mentioned several criteria to classify metaphors that include classifying them based on their conventionality, their nature, their cognitive functions and their level of generality. This study is based on the identification and analysis of only conventional metaphors as they are very commonly used but often go unnoticed. All the claims of CMT about the ubiquitousness of metaphors in language and their functions are based on conventional metaphors. Being the most common types of metaphor in general language and relevant to our purpose, this study will focus on analyzing conventional metaphors following the tradition of several scholars including Charteris Black (2004) and Deignan (2005) as this study is interested in a common pattern of language rather than the poetic or literary language.

In this study, two criteria have been used for classifying metaphors into types. In the first phase, the metaphor source domain has been used as a criterion to classify metaphors in the discourse. In the second phase, Lakoff and Johnson (1980) and Kövecses (2010) criteria based on the cognitive functions of metaphor have been used that classify metaphor into three types including Structural metaphor, Ontological metaphor and Orientational metaphor.

#### **5.3.1 Types of Metaphors Based on Source Domains**

Metaphor, according to Cognitive Linguistics, is understanding one conceptual domain in terms of another. According to MIPUV (Steen et al, 2010, p.11), "the use of a conceptual domain as a source to understand and talk about another conceptual domain which functions as a target is the true basis for metaphor in the study of usage". Therefore, it is

pertinent to analyze metaphors in discourse based on their source domains from where metaphorical concepts are mapped onto the target domains because it throws light on the type of conceptualization and the role of metaphor in discourse. This Research Question is related to the qualitative analysis of the discourse because it deals with the nature and type of metaphors identified in the corpus. According to Charteris-Black (2004), qualitative analysis of metaphors is important to analyze their pragmatic role by determining the positive or negative evaluation of metaphors in discourse.

Lakoff and Johns (1980) say that when we talk about one thing in terms of another thing through metaphoric expression, it is evidence of the fact that we also think about one thing in terms of another. Therefore, while discussing metaphor in discourse, it is important to identify metaphors in terms of source domains that have been used for the conceptualization of the target domain because the choice of the source domain throws light on the role of metaphor and the purpose behind the selection of a particular source concept of metaphor in a particular context.

One important point is being made clear here that the focus of this study is on the source domain of metaphoric expressions without investigating the target domains. The target domain that has been focused is *law* and its related concepts *like constitution, acts, statutes, rules, offence, evidence, judgement, case, agreement* etc. But there are a large number of cases where the target domain may be any field than other law. For the sake of finding the frequency of metaphor and its distribution in different word classes, all metaphoric expressions have been included irrespective of whether the target domain is law or any other field. For discussion on the role of metaphor, especially in the light of Research Question 3, the discussion has been confined to metaphoric expressions where the target domain is only *law*. For example, the selection of *war* as a source domain for *law* as the target domain will project and highlight a different aspect of *law* than talking about the target domain of *law* in terms of other source domains like *sports, religion* or *journey*.

### **5.3.2 Source Domains in the Corpus**

The conceptual domain from which metaphorical expressions are drawn to understand the other domain is called the source domain, while the other domain which is understood with the help of the source domain is called the target domain. Generally, the source domains from which expressions are drawn are more concrete or physical and clearly delineated while

the target domains are generally more abstract concepts and are not clearly delineated and are understood with the help of concrete source domains (Kövecses, 2010). In classifying metaphors, one of the criteria used in this study was to group them based on the source domains from which metaphoric expressions are drawn. So, all the MUWs identified in the COLD were grouped based on their source domains. Details of the results are shown in the Table 5.10 below.

**Table 5.10**

*Source Domains and their Frequencies in the COLD*

| <b>Source domain</b>           | <b>Frequency</b> | <b>Percentage</b> |
|--------------------------------|------------------|-------------------|
| Physical objects (Reification) | 21804            | 33.28             |
| Spatial location               | 17009            | 25.97             |
| Journey and move               | 9951             | 15.19             |
| Humans                         | 7027             | 10.73             |
| War and conflict               | 2100             | 3.20              |
| Theatrical performance         | 1008             | 1.54              |
| Building and construction      | 998              | 1.52              |
| Business and finance           | 930              | 1.42              |
| Machines and tools             | 836              | 1.28              |
| Religion                       | 798              | 1.22              |
| Power and force                | 640              | 0.98              |
| Earth and nature               | 553              | 0.84              |
| Government and politics        | 329              | 0.50              |
| Cloth and dresses              | 293              | 0.45              |
| Animals and plants             | 274              | 0.42              |
| Science                        | 209              | 0.32              |
| Light and darkness             | 191              | 0.29              |
| Food and cooking               | 158              | 0.24              |
| Sports and adventure           | 133              | 0.20              |
| Academic/ classroom            | 107              | 0.20              |
| Measurement                    | 105              | 0.16              |
| The supernature                | 50               | 0.8               |
| <b>Total</b>                   | <b>65503</b>     | <b>100</b>        |



As Table 5.10 shows, several source domains have been identified in this discourse. However, some of them, given at the top of the table, are more prominent as compared to the ones towards the bottom of the table. An almost similar classification of the most common source and target domains of conceptual domains has been mentioned by Deignan (1995) and Kövecses (2010). According to Deignan (2005), the majority of conceptual metaphors are of the types that involve mapping from the concrete domains to abstract domains, making use of relationships in the source domain that are known to us through our concrete experience. This way, we are able to visualize, quantify and generalize about abstract things. She further says that the most central metaphors have their ground in physical experience and, while referring to Sweetser (1990), argues that conceptual metaphors like UNDERSTANDING IS GRASPING are based on our experience of closely holding an object to get close knowledge about it. In the present corpus, most of the reification metaphors are of this type. These domains have been discussed in detail in the subsequent sections.

### 5.3.2.1 Physical Objects

In this study, physical objects were found to constitute the most prominent domain to project abstract concepts in terms of concrete objects. There are 21801 vehicle terms from this domain, making 33.28 % of all the source domain vehicle terms. Many abstract concepts from the target domain of law including *law, act, constitution, justice, offence, statement, testimony, evidence, right, case, petition, charge, crime, statute* etc., are talked about as if they are concrete objects by rendering them physical qualities like *shape, colour, size, weight* etc. The use of demonstratives like *this, these, that, those* for non-material things or concepts that do not have physical existence have also been included in this category. KWIC Concordance 5.1 shows some selected examples of metaphors from physical domains.

#### KWIC Concordance 5.1

##### *Metaphoric Expressions from the Source Domain of Physical Objects*

|   |                  |  |               |
|---|------------------|--|---------------|
| possess the resources or the technical    | <b>capacity</b>  | to carry out surveillance of the Petitione | {42 const.p.} |
| to the root of the matter, they cannot be | <b>broken;</b>   | others are only directory and a breach     | {131crl.a}    |
| in the President. On a careful perusal of | <b>these</b>     | Articles, it becomes clear that there is a | {46const.p.}  |
| In the first instance, the Court does not | <b>lose</b>      | its jurisdiction to review its order by    | { 14c.a. }    |
| properly reviewed in the interest of the  | <b>purity</b>    | and honour of the judiciary..."            | { 46const.p.} |
| egislation through the Parliament in the  | <b>shape</b>     | of an Act within six months to provide     | { 106const.p} |
| Therefore, before the Reference was       | <b>leaked,</b>   | probably on 28.05.2019, only a             | { 46const.p.} |
| drive home a criminal charge has to be    | <b>weighed</b>   | in the scales of rationality; it cannot be | {92crl.p.}    |
| Every crime, no matter what its           | <b>magnitude</b> | or extent, creates some sort of fear and   | {112crl.a.}   |

### *Container Metaphors*

The highest number of metaphors in the present corpus was found coming from the source domain of *physical objects as containers* with 11813 tokens. Container metaphors project ontological structure to abstract concepts and entities like possessing an *inside/outside*, possessing a *boundary* and having the *capacity* to hold something. According to Lakoff and Johnson (1980), the concept of a container is a directly emergent concept as we see ourselves and other external things around us as entities, separate from others, having inside and outside and having boundaries like a container. We project the same structure on concepts or entities which they inherently do not possess. This is an important source domain for metaphorical projections in COLD as can be seen from the highest frequency of this type of metaphors. However, it is to be noted that this high number is mainly due to the high metaphorical use of prepositions like *in*, *inside*, *within*, *out* and *outside* in the container sense which are found in a very large number in the present corpus. Nevertheless, they form an important source domain for metaphorical concepts and have been discussed in Section 5.3.3.2 with Ontological metaphors. According to Ritchie (2007), container metaphors are types of spatial metaphors and are quite pervasive in legal discourse. They set reference points for our understanding and structure our personal, political, social and professional relationships and help us understand them. According to Philippopolis-Mihalopoulos (2016), container metaphors are based on the human need to construct a boundary between self and the outside environment and a need for separation and enclosure. This way certain distinct structure is assigned to law that excludes parts of society and even different modes of law.

Ritchie (2007) points out a specific application of the container metaphor for constructing group identity by the notions of ‘inclusion’ and ‘exclusion’ by providing a reference point for relating personal, professional, social and political relationships and granting privileges and rights accordingly. These types of container metaphors reflect the past traditions of creating walled cities and monasteries to exclude unwanted people and provide protection to the privileged ones. It is very common to come across metaphoric expressions in the present corpus as some examples are given in KWIC Concordance 5.2.

## KWIC Concordance 5.2

### *Metaphoric Expressions from the Domain of Container*

1. In order to determine whether an offence falls **within** the ambit of Section 6 of the Act, it would be essential to have a glance over the allegations. {112crl.a}
2. The scope of the Act or the vires of the Regulations cannot be determined by the words **inserted** in section 176A. {106const.p.}
3. The learned counsel for the father submits that the parties had **entered into** the agreement which the father abided by but which the mother violated in seeking the custody of the child. {60c.p.}
4. The above-mentioned definition of a “terrorist act” **contained** in Section 6 was subsequently amended through the Anti-Terrorism... {112crl.a}
5. This appeal with the leave of the Court arises **out of** a judgment of the Federal Service Tribunal. {66c.a}
6. At best, clause (j) of Section 36(1) of the Act may **encompass** such other disqualifications in Article 63(1) of the Constitution {57c.a.}
7. Section 51 of the Control of Narcotic Substances Act, 1997 clearly **ousts** application of the provisions of section 497, Cr.P.C. {115crl.a.}
8. While the Act governs Commissioned Officers there is nothing **in** the Act that prescribes the terms and conditions of service {106const.p}
9. Judicial activism and judicial self-restraint operate **within** the bounds of judicial legitimacy. {28c.p.}
10. ... it is wrongly admitted or appreciated within the set **parameters** of law. {24c.p.}

In addition to the source domain of physical objects as containers, other forms of physical objects as source domains have been used to assign physical features to abstract entities that include features like being *made of substance, having existence, possessing shape, colour, weight, quantity* etc. In the present corpus, there is an extensive set of adjectives used to describe the physical features of law and its related concepts showing their qualities like *shape, size, weight, quantity, colour, material composition, purity, hardness, rigidity and possessibility* etc. Lakoff (1991) says that physical features of objects like *shape, density, size, weight* etc., are mapped to target domains to give rise to several conceptual

metaphors (e.g., IMPORTANT IS BIG or HEAVY IS SERIOUS etc.). Some linguistic examples of these metaphors are shown in Table 5.11 below.

**Table 5.11**

*Source Domains from Physical Objects in the COLD*

| Features      | Examples from the corpus   |
|---------------|--|
| <b>Shape</b>  | <ol style="list-style-type: none"> <li>1. The Federal Government will carry out legislation through the Parliament in the <i>shape</i> of an Act within six months. {106const.p}</li> <li>2. The Take or Pay provisions cannot be allowed to operate outside the <i>sphere</i> of the laws of Pakistan. { 8c.a}</li> <li>3. The said obscurity has, unfortunately, gone a long way in <i>distorting</i> the criminal jurisprudence in the country. {135Crl.M.A}</li> <li>4. As all the ensuing discussion in the judicial and legal <i>circles</i> that followed that decision generally revolved around the judgment. {112crl.a}</li> <li>5. The <i>contours</i> of this jurisdiction of the High Court were extensively discussed. {63crl.p.}</li> </ol> |
| <b>Colour</b> | <ol style="list-style-type: none"> <li>1. Article 10-A creates a constitutional obligation to conduct a <i>fair</i> trial. {4c.p.}</li> <li>2. The Reference is a mala fide and <i>colourable</i> exercise of power. {46const.p}</li> <li>3. It is observed that very genesis of <i>white</i>-collar crime has engulfed the educated-cum-privileged class. {64c.p}</li> <li>4. Equality before law and equal protection of law is the cardinal principle which runs like a <i>golden</i> chord in all Injunctions of Islam. {84c.p}</li> <li>5. Ordinary crimes having no nexus with terrorism or terrorist activities would be incorrectly or wrongly placed in the <i>grey</i> category. {112crl.a}</li> </ol>   |

| Features           | Examples from the corpus   |
|--------------------|--|
| <b>Size</b>        | <ol style="list-style-type: none"> <li>1. It is about time that such a <i>colossal</i> wrong may be rectified in all earnestness. {135Crl.M.A}</li> <li>2. I have <i>little</i> doubt that its object was to negate any claim by the Government. {43const.p}</li> <li>3. Criminal Procedure Code has merely <i>enlarged</i> the appellate powers of the High Court. {94crl.a}</li> <li>4. This court <i>expanded</i> the inherent jurisdiction of the High Court under section 561-A Cr.P.C. {63crl.p}</li> </ol>  |
| <b>Quantity</b>    | <ol style="list-style-type: none"> <li>1. The functionaries are the best Judges to evaluate the nature and <i>magnitude</i> of threats... {55c.p}</li> <li>2. A <i>massive</i> fraud in a bank may send shockwaves throughout the banking and financial sectors... {112crl.a}</li> <li>3. It was nothing but an attempt to continue with the service on the basis of frivolous and tainted documents which speak <i>volume</i> in relation to its genuineness. {30c.p}</li> <li>4. This would be inconceivable and <i>amount</i> to a constitutional absurdity... {109const.p}</li> </ol>                                |
| <b>Weight</b>      | <ol style="list-style-type: none"> <li>1. <i>Heavy</i> sentences <i>massively outweigh</i> the public interest in ensuring that a particular criminal is brought to book. {59c.p}</li> <li>2. The <i>burden</i> of proof to establish the gifts was on the beneficiaries of the gifts, not the donors. {38c.p}</li> <li>3. The <i>onus</i> is on the prosecution to establish the admissibility of all evidence. {42const.p}</li> <li>4. This established, deficiencies of perception, recollection of the events at issue may be dealt with as matters going to the <i>weight</i> of the evidence. {94crl.a}</li> </ol> |
| <b>Brittleness</b> | <ol style="list-style-type: none"> <li>1. He <i>breaks</i> the trust and proves himself to be unworthy of the confidence. {10c.a.}</li> <li>2. This would throw almost every taxpayer in <i>breach</i> of Section 116(2). {43const.p}</li> </ol>   |

| Features                    | Examples from the corpus   |
|-----------------------------|--|
|                             | <ol style="list-style-type: none"> <li data-bbox="440 253 1378 398">3. The testimony of four independent natural witnesses, the veracity whereof could not be <i>shattered</i> by the defence, despite their lengthy cross-examinations. {94crl}</li> <li data-bbox="440 423 1378 510">4. It is meant to curtail delays, piecemeal and <i>fractured</i> litigation at various fora at the same time. {96c.p}</li> <li data-bbox="440 535 1378 622">5. This approach has *** frequently proved unduly <i>inflexible</i> in dealing with new situations and new needs in the law. {94crl.a}</li> <li data-bbox="440 647 1378 734">6. As contained in section 6 of the Act we are of the <i>firm</i> opinion that "terrorism" means the use or threat of "action". {112crl.a}</li> <li data-bbox="440 759 1378 904">7. Evidence of child witness is a <i>delicate</i> matter and normally it is not safe to rely upon it unless corroborated as rule of prudence. {112crl.a}</li> <li data-bbox="440 929 1378 1016">8. The independence of our judiciary is not so <i>fragile</i> as to be effectively threatened or undermined by complaints. {46const.p}</li> <li data-bbox="440 1041 1086 1084">9. This provision is still <i>intact</i> in KPK. { 2c.r.p}</li> <li data-bbox="440 1108 1378 1196">10. This rule, though a rule of practice, has acquired the <i>rigidity</i> of law. {59c.p}</li> </ol> |
| <b>Material Composition</b> | <ol style="list-style-type: none"> <li data-bbox="440 1229 1378 1317">1. It also lacks the factual and legal <i>material</i> on which the Reference was based. { 46const.p}</li> <li data-bbox="440 1341 1378 1487">2. It [inquiry by SJC] is simply the conduct of a Judge which is to be properly reviewed in the interest of the <i>purity</i> and honour of the judiciary...{ 46const.p}</li> <li data-bbox="440 1512 1378 1599">3. These three <i>elements</i> form the fundamental and the core <i>elements</i> of a valid Report prepared by a Government Analyst. { 131crl.a}</li> <li data-bbox="440 1624 1378 1767">4. Section 24 of NAO prescribes that reference submitted to the Court shall contain the <i>substance</i> of the offence alleged to have been committed by the accused. { 59c.p}</li> <li data-bbox="440 1792 1378 1939">5. If, however, the prosecution fails to prove the essential <i>ingredients</i> of the offence, no duty is cast on the accused to prove his innocence, composed of legal features. {94crl.a}</li> </ol>  |

| Features                       | Examples from the corpus   |
|--------------------------------|--|
| <b>Possession and Handling</b> | <ol style="list-style-type: none"> <li>1. The High Court, under Article 199, <b>has</b> the power to judicially review the order passed by the Executive. { 4c.p}</li> <li>2. The law must <b>possess</b> strength of character to never give in to external influence for personal benefit. {42const.p}</li> <li>3. Article III, it can be observed that it expects Superior Court Judges to <b>keep</b> their conduct in all aspects of their lives. {46const.p}</li> <li>4. On 05.12.2018 a learned Judge of the High Court in Chambers <b>suspended</b> the proceedings before the learned Civil Judge. { 97c.p}</li> <li>5. Different courts constituted at different stages in the past for separate and special <b>handling</b> of offences of grave nature, may take some time to be dispelled. { 112crl.a}</li> </ol> |

### *Domain of Water/Liquid*

Some metaphors in the corpus related to physical objects are derived from the source domain of *water* or *liquid* in general. As liquid or water, the *law* can change state (*freeze, melt*), move or flow in a specific direction like a stream passing through a channel smoothly or may move violently like a flood and can absorb or dissolve other objects (Davidko, 2012). When it is not moving, it becomes stagnant and stale. Its depth and vastness are like a sea. Water also symbolizes purity so the pure nature of law is conceptualized through these metaphoric expressions. These qualities not only make law a tangible object but also render it qualities like vastness, smooth movement in a fixed direction and capability of dissolving or being absorbed. At the same time, lawlessness is associated with the negative features of liquids like *flood, waves, stagnation, leaking* etc. Some examples from the corpus are given in KWIC Concordance 5.4 below:

### **KWIC Concordance 5.3**

#### *MUWs from Source Domains from Liquid/ Water in COLD*

- (1) The next objection of the learned counsel for the petitioner was about the **leaking** of the Reference and its contents to the media. { 46const.p }
- (2) It may be noted that multiple remedies are available against possible outcome

in the form of an order/judgment/decreed etc. **emanating** from proceedings of civil nature. {49c.a.}

- (3) Rather, it **freezes** the meaning of the statute at the historical moment of its legislation... {131crl.a}
- (4) The insured chose to challenge the order of the Insurance Tribunal dated 03.10.2012 through yet another **channel** by invoking section 12(2) CPC. {71c.p }
- (5) The judge becomes sterile and **frozen**, creating **stagnation** instead of progress. { 131crl.a}
- (6) These Regulations once brought within the Statutory fold must **flow** from the Act. { 106const.p}
- (7) Jewish sects Zealots and Sicarii \*\*\* stab people in crowds and then **melting** away in the throng. {112crl.a}
- (8) The common factor in all those **waves** is that all the relevant acts of violence were and are universally recognized as terrorism. {112crl.a}
- (9) It will also open the **floodgates** of litigation by Judges who are the subject of a Reference. {46const.p}
- (10) Such powers must vest in every tribunal to ensure that **stream** of justice **runs** pure and clean. {20c.p.}
- (11) It was also claimed that after mutual accounts taking XXX liability was determined at Rs.84 (m), which liability he acknowledged and undertook to **liquidate** by appending his signature on. {59c.p}
- (12) The statement in Section 3(1) of the Act of. 2019 **dissolved** all local governments constituted or continued under the Act of 2013. {12const.p}
- (13) The respondent ultimately on 18.12.2002 was **absorbed** in the appellant-NAB as UDC. {87c.a}
- (14) Rather than doing any good to the country or our body politic and cleansing the **fountainheads** of governance, these laws and the manner in which they were enforced, caused further degeneration. {59c.p}
- (15) The unpaid seller's rights and remedies enumerated through s.46 to s.52 are inapplicable to the **current** set of facts and circumstances of the Case. {11c.p}
- (16) This metamorphosis in the antiterrorism law in our country has brought about



- a *sea* change in the whole concept. {112crl.a}
- (17) Brutality inflicted upon the poor soul and the ensuing aftermaths thereof not only devastated a family who lost a brilliant youth but also *rippled* lasting fear. {56c.p}
- (18) This fact is *floating* on the record of the review petitions. {42const.p}
- (19) The respondent in the year 1990 was appointed as Upper Division Clerk in the Ministry of Food, Agriculture and. Life Stock, Islamabad and thereafter was placed in surplus *pool*. {87c.a}
- (20) Different biases, prejudices, and Corruption have *seeped* into our society and have now *inundated* it. {59c.p}

The large number of objectification and reification metaphors in the present corpus gives abstract concepts a physical existence. This not only helps in understanding abstract ideas but also renders abstract concepts like *justice, law, acts* and *constitution* into the minds of the people as entities having concrete and solid existence and embedding their significance in their minds. The concept of liquid has been used with two implications in the corpus. Words like *source, stream, flow, fountainhead, absorb, channel* etc., highlights the positive aspects of liquid and water and hence have been used for positive evaluation. On the other hand, the destructive and damaging aspects of water and liquids has been metaphorically projected through lexical units like *frozen, stagnation, leaking, seep, floodgates, waves, inundated* etc., and hence used for negative evaluation. Similarly, the vastness of water bodies like pool, sea and ocean has been mapped to abstract concepts in the target domains to project their vastness and immensity. These types of metaphors have been generally used for neutral evaluation in the COLD.

### ***Domain of Cleanliness/Uncleanliness***

An important attribute of physical objects is cleanliness or its opposite attributes like dirt or uncleanliness. Law and its associated concepts have also been metaphorically attributed to the quality of *cleanliness* and their opposite concepts have been referred to as dirty and unclean. There are numerous references to this aspect which are linguistic realization of conceptual metaphors MORALITY IS CLEANLINESS (Lakoff et al., 1991) and CLEAN IS GOOD, DIRT IS BAD (Deignan, 1995) as can be seen in some examples in Table 5.12.

Table 5.12

*MUWs Related to Cleanliness*

| Lexical unit         | Metaphoric use in the corpus  |
|----------------------|---|
| <b>Clean</b>         | This does not derogate its status as a Court nor takes away its inherent jurisdiction to protect its orders and decrees from the <i>taints</i> of fraud and misrepresentation as such powers must vest in every tribunal to ensure that stream of justice runs <i>pure</i> and <i>clean</i> . { 20c.p } |
| <b>Cleanse</b>       | Rather than doing any good to the country or our body politic and <i>cleansing</i> the fountainheads of governance, these laws and the manner in which they were enforced, caused further degeneration and created chaos. { 59c.p }   |
| <b>Clearance</b>     | This Court will not be an impediment in granting judicial <i>clearance</i> of his candidature. { 46const.p }  |
| <b>Clear</b>         | The very commencement of the inquiry proceedings against a judge causes psychological pain and anguish that continues until his name gets finally <i>cleared</i> . { 46const.p }  |
| <b>Laundering</b>    | Only then may the allegation of money <i>laundering</i> be made against the petitioner. { 46const.p }   |
| <b>Wash</b>          | It carries with it a <i>stigma</i> for the accused which cannot easily be <i>washed</i> away. { 46const.p }   |
| <b>Immaculate</b>    | The constitution, **** has provided to us a complete scheme and an <i>immaculate</i> and robust mechanism for realizing the above dream. {59c.p}  |
| <b>Crystal clear</b> | These are stringent conditions which make the policy of the law <i>crystal clear</i> . { 86c.a }  |

The antonym of *clean* i.e., *unclean* expresses the opposite idea of the above conceptual metaphor. If MORALITY IS CLEAN, then we can also assume that IMMORALITY/ ILLEGALITY IS UNCLEAN or DIRT IS BAD. The conceptual metaphor has been linguistically expressed through the use of words like *stain*, *stigma*, *taint*, *muddied*, *tarnish* and *blemish* etc., as shown in Table 5.13.

Table 5.13

*MUWs related to Uncleanliness*

| Lexical unit   | Metaphoric use in the corpus  |
|----------------|---|
| <b>Taint</b>   | These activities may be <i>tainted</i> with illegality, corruption or misuse of office and authority. { 122c.a }  |
| <b>Stain</b>   | Reality of the matter might be unearthed and the <i>stain</i> or slur on the name of the judiciary could be removed. {123const.p }  |
| <b>Stigmas</b> | It carries with it a <i>stigma</i> for the accused which cannot easily be <i>washed</i> away. {46const.p }  |
| <b>Taint</b>   | The petitioner *** should take this as an opportunity to <i>scrub</i> away the <i>taint</i> . { 46const.p }   |
| <b>Smear</b>   | It is true that the factual information underlying the Reference casts a <i>smear</i> on the petitioner's name. { 46const.p }   |
| <b>Tarnish</b> | Mere initiation of inquiry against the conduct of the constitutional court judges is enough to <i>tarnish</i> the image of judiciary. { 42const.p }   |
| <b>Blemish</b> | With the <i>blemish</i> attached to the ownership of undeclared foreign properties, such ownership automatically attracts speculation about its status and source. { 46const.p }  |
| <b>Muddied</b> | The formation of the "opinion" by the worthy XXXX was, it seems, <i>muddied</i> by the blatant and uncalled for obedience to the "advice" of the worthy XXXX. { 46const.p }   |
| <b>Sordid</b>  | His <i>sordid</i> and disgusting conduct has made the thousands of honest, upright, fair and proper Judges in the country hang their heads in shame. {123const.p }  |
| <b>Unclean</b> | Learned counsel has further contended that the respondents have conducted themselves in such a manner, where their very approach appears to be not bona fide, rather it appears that they are pursuing these cases with <i>unclean</i> hands. { 45c.a } |

### *Domain of Colures*

Closely related to clean and unclean conceptualization is the metaphoric conceptualization through the colours of physical objects. Conventionally, metaphoric

expressions like ‘*colourful*’ are used to describe that something is lively or interesting (Deignan, 1995) or its opposite ‘*colourless*’ means dull or not interesting. But if something is given colour or it is coloured or painted, its image is changed to influence thinking about it. In contrast, if something is transparent, it is simple, clear and honest. While some colours like *white*, *fair* and *golden* are traditionally linked with positive evaluation, others like *black* and *grey* are associated with negative evaluation. The *white* colour expresses positive or honest traits of a person or thing while the verb *blacken* depicts the action to destroy or damage a person's reputation. *Grey* is the middle colour between *black* and *white* and is used to describe people or things which are dull or which do not fall into any category (Deignan, 1995). If something loses its importance or significance, its colour *fades* or *pales*. In the present study, this traditional metaphoric association of colours with positive and negative evaluation was clearly visible as shown in some examples from COLD in Table 5.14.

**Table 5.14**

*MUWs from the Domain of Colours*

| Lexical unit       | Metaphoric use in the corpus  |
|--------------------|---|
| <b>White</b>       | It was also not alleged that the petitioner did not have sufficient tax paid/<br><i>white</i> money to acquire the said properties. { 43const.p }                                     |
| <b>Fair</b>        | We found the contention to be just, <i>fair</i> and lawful. { 59c.p. }  |
| <b>Golden</b>      | Throughout the web of the English Criminal Law one <i>golden</i> thread is<br>always to be seen, that it is the duty of the prosecution to prove the<br>prisoner's guilt. { 94crl.a } |
| <b>Grey</b>        | Ordinary crimes having no nexus with terrorism or terrorist activities would<br>be incorrectly or wrongly placed in the <i>grey</i> category of crimes. {112crl.a }                   |
| <b>Blacken</b>     | Perjury is eating up the very vitals of our society and <i>blackening</i> the <i>fair</i><br>pages of our history. { 135Crl.M.A. }  |
| <b>Fade</b>        | In this backdrop, prosecution's failure to recover the weapon, statedly used<br>in the occurrence, <i>fades</i> into insignificance. { 85j.p. }                                       |
| <b>Pales</b>       | The individual capacity of the petitioner <i>pales</i> into insignificance even if<br>he decides not to pursue the present petition. { 110const.p }                                   |
| <b>Transparent</b> | Such a <i>transparent</i> course of action is consistent with the CoC, the<br>maintenance of institutional integrity and the image of Judges as the neutral                           |

| Lexical unit      | Metaphoric use in the corpus   |
|-------------------|--|
|                   | and independent arbiters of law and justice. { 106const.p }  |
| <b>Colourable</b> | The filing of the Reference was a <i>colourable</i> and mala fide exercise of power. {46const.p }  |
| <b>Paint</b>      | The Prosecution and disgruntled complainants have been noticed making crude attempts to <i>paint</i> an ordinary crime as an act of terrorism. {112crl.a }   |
| <b>Coloured</b>   | “Sexual harassment” includes any one or more of the following unwelcome acts or behaviour*** making sexually <i>coloured</i> remarks. { 13c.p }  |
| <b>Colour</b>     | If ordinary crimes committed due to personal revenge or motive are given the <i>colour</i> of terrorism or terrorist activities, hundreds and hundreds of Criminal Courts (Sessions Courts) and other Courts would be rendered inoperative. { 112crl.a } |

### *The Domain of Light and Darkness*

Positive and negative evaluation through colours and clean/ unclean distinction discussed above is expressed in the same strain through the use of metaphoric mapping from the source domains of light and darkness. As mentioned by Lakoff et al. (1991), goodness is associated with light and badness with dark. Similarly, the metaphoric use of shadow also conveys the sense of darkness or absence of appropriate light. According to Deignan (1995), the metaphoric use of shadow is similar to that of dark, which is used for negative evaluation to convey unpleasant or negative feelings or experiences. Similarly, darkness or the lack of proper light is also conveyed through the metaphoric use of *eclipse*. Examples of these metaphors from the domain of dark are given in KWIC Concordance 5.4.

### **KWIC Concordance 5.4**

#### *MUWs from the Source Domain of Darkness*

1. We mature into a democracy and strengthen our constitutional guarantees with renewed confidence and enthusiasm or regress into *darkness* by permitting unconstitutional acts. { 42const.p. }
2. What happened on 09.03.2007 with XXXX could be said to be one of the *darkest* days in the history of Pakistan’s judiciary. { 46const.p }
3. If instead he remains silent or offers a false explanation, he *casts a shadow* upon himself. { 94crl.a }

4. Third Schedule of the Constitution read with Article 209(8) of the Constitution remains *eclipsed*, so far as their enforcement is not in consonance with the terms of his oath. { 46const.p }

In addition to *good/bad* connotations, *light* and *dark* are often associated metaphorically with knowledge and ignorance which is based on our experiential observation as we can see and understand things in the light and cannot understand them when they are in the dark leading to the conceptual metaphor mentioned by Lakoff (1991) that UNDERSTANDING IS SEEING and AIDS TO GAINING AWARENESS ARE AIDS TO VISION and its further entailment of IMPEDIMENTS TO AWARENESS ARE IMPEDIMENTS TO SEEING (sentence 5 below) as shown in some examples in KWIC Concordance 5.5

### **KWIC Concordance 5.5**

#### *MUWs from the Source Domain of Light*

1. It was only when she drew salary as school teacher for the months when she was also entitled to draw salary of the post of Civil Judge that the factum of her pervious employment *came to light*. { 46const.p }
2. At this junction it might be opportune to *shed some light* on the distinction between judicial review, judicial activism and judicial overreach. { 28c.p }
3. Such judicial leap *in the dark* is also known as “judicial adventurism” or “judicial imperialism.” { 28c.p }
4. The answer to this is in the negative *in the light* of Article 209(7) of the Constitution. { 42const.p }
5. A member intentionally concealed its disclosure in order *to cover* some financial wrongdoing. { 23c.a }

As the above discussion shows, the present study found that the domain of physical objects was the most prominent one in the Corpus with 33.28% of all MUWs belonging to this domain. A study by Šeškauskienė and Stepanyuk (2014) also observed that objectification is the most distinct feature of legal discourse through which law is conceptualized as a tangible object, possessing shape, size and colour or made of material. But, their study found that 63.25% of all metaphors were from the domain of physical objects. However, their study applied a quite broader parameter of physical domain and also

included the domain of spatial orientation in the physical objects. Nevertheless, the domain of physical objects in the present study was also found to be the most dominant one.

### 5.3.2.2 Spatial orientation

The next prominent source domain in the Corpus after physical objects was found to be spatial orientation. This domain is represented by 17009 tokens making 25.97% of the total metaphoric expressions in the Corpus. Source domains related to space orientation also include *up/down*, *front/back*, and *central/peripheral* orientations. This type of metaphorical projection has been discussed in detail in Section 5.3.3.3 under Orientational Metaphor.

## KWIC Concordance 5.6

### *MUWs of Spatial Orientation Type*

1. Equality of all citizens **before** the law, and their entitlement to equal protection of law has been ...{59c.p}
2. The Sessions Judge and or the High Court **under** Sections 435 and 439 Cr.P.C may exercise Revisional power {63crl.p.}
3. What he did as a King was **above** the law and beyond the jurisdiction of Courts. {43const.p.}
4. Before discussing the **central** issue of legitimate expectation, we think it is pertinent to decide on {47c.p.}

### 5.3.2.3 Journey and Move

Journey and move are some of the most basic and oldest human experiences that humans have been undergoing since the inception of life on earth. Except for plants, all living things are distinctively characterized by movement. It is a rich source for metaphorical projection because of its features like a start point, change of location, movement, direction, destination and problems experienced in the activity. This domain constitutes the third most prominent source domain in the corpus with a total token of 9951 making 15.19% of the total MUWs in the corpus. Law cases have been projected as a journey that involves a change in place by moving from the initial position to the new one and generally has a direction, a goal and a specific track/route undertaken in the process. The metaphorical projection describes law procedure as a journey, goals as destinations, problems as obstacles, the pace of the

process of law as the speed of the journey and moving away from procedures and law as deviations and divergences. These types of metaphors have been discussed in detail in Section 5.3.3.1 as LAW IS A JOURNEY under the heading of Structural Metaphors.

### **KWIC Concordance 5.7**

#### *MUWs from Domain of Journey*

1. We should endeavour to ***avoid taking any such step*** which goes against the spirit and intent of the Constitution. {46const.p }
2. Before we ***proceed*** further, it may be noted that the State did have a remedy to seek {94crl.a}
3. The said obscurity has, unfortunately, ***gone a long way*** in distorting the criminal jurisprudence in the country. { 135Crl.M.A }
4. In numerous cases in Pakistan, it has been held that there is no legal ***impediment in the way*** of the court or tribunal to decide its own jurisdiction. { 8c.a.txt }
5. A judge is to always tread the ***path*** of the Constitution and the law. {42const.p.}
6. The Principles of Policy 9 (“the principles”) set out in the Constitution is the path, and the ***destination***, that the nation has set for itself. { 60c.p }

#### **5.3.2.4 The Humans**

Humans constitute the next prominent source domain in the corpus with a frequency count of 7027 constituting 10.73 % of the total MUWs. Kövecses (2010) calls it the ideal source domain because it is clearly delineated and because we have very close knowledge of it. Similarly, Deignan (2005), while commenting on the universality of the human body as a source domain in conceptual mapping, observes that when people from different cultures have nothing in common in language and culture, the only common experience available to share is inhabiting a human body that may provide roots for metaphorical connection. This is the reason that we have so many metaphors based on our experience with our own bodies. This category included not only the human body but also other human features like actions, emotions and human relations. Table 5.15 shows the distribution of metaphors from the domains of humans.



**Table 5.15***Frequency of MUWs from the Source Domain of Humans*

| <b>Sub-source domains</b> | <b>Token in the corpus</b> |
|---------------------------|----------------------------|
| Personification           | 4,977                      |
| Health/sickness           | 568                        |
| Human body                | 536                        |
| Life/death                | 289                        |
| Body position             | 288                        |
| Emotions                  | 209                        |
| Human relations           | 160                        |
| <b>Total</b>              | <b>7,027</b>               |

According to Huo & Chen (2021), humans know about themselves prior to anything else outside and thus form an understanding of their own bodies. Through these experiences about self, they explore and understand the outside world. In the present study, several metaphors from the source domain of the human body and body positions are based on this conceptualization as shown in Table 5.16. Murray (1984, p.715) cites Vico's *Scienza* (1725), who says that a large number of inanimate things are expressed through a metaphor from the human body including conceptualization from body parts, senses and passions in all languages, substantiating the axiom that "man in his ignorance makes himself the rule of the universe". Ritchie (2007) observed in her study that metaphors based on the human body were used to link the discourse to reality. Some examples from the present corpus substantiate this view as shown in Table 5.16.

**Table 5.16***MUWs from the Source Domain of Human Body*

| <b>Parts of body</b> | <b>Example from the Cold Corpus</b>  |
|----------------------|--|
| <b>Head</b>          | <i>head</i> of state, under the <i>heading</i> of fundamental rights, <i>brainwash</i> is made, kept in <i>mind</i> , borne in <i>mind</i> , <i>neck</i> deep in, <i>bald</i> denial |
| <b>Face</b>          | the <i>face</i> value, cannot be <i>countenanced</i> , in the <i>eyes</i> of law, under his <i>nose</i> , giving a patient <i>ear</i>  |
| <b>Internal Body</b> | at the <i>heart</i> of this case, essential <i>lifeblood</i> for, in the same <i>vein</i> ,  |

| Parts of body         | Example from the Cold Corpus  |
|-----------------------|---|
|                       | <i>backbone</i> of democracy  |
| <b>Body and Limbs</b> | <i>body</i> of laws, <i>organ</i> of state, fall on his <i>shoulder</i> , on the other <i>hand</i> , retrace his <i>step</i> , finding its <i>feet</i> , <i>limb</i> of judicial independence |
| <b>Body Position</b>  | to <i>sit</i> quietly, take this <i>stance</i> , <i>stand</i> in the way of justice, <i>stand</i> -alone agreement, an appeal shall <i>lie</i> , question <i>posed</i> by                     |

These examples show that the human body is a comparatively rich source domain for metaphors and a great many metaphorical concepts emerge from our physical experience with our bodies whether related to parts of the body or their functions. When law is conceptualized as a living organism, especially as a human, it entails that all human experiences are also attached to this conceptualization. Health and disease and life and death of the human body are vital parts of human life. It is not uncommon to find metaphoric expressions from these domains to conceptualize law and give rise to metaphorical meaning in the field of law. Some aspects of source domains from health in the corpus have been shown in Table 5.13. These metaphors suggest that law is a living entity, very much full of life and energy, but vulnerable to disease and accidents. It will grow, remain healthy and work efficiently once protected from ills and diseases. Otherwise, diseases will ultimately lead to its death and invalidity.

**Table 5.17**

*Source Domain from Health, Disease, Life and Death*

| Source Domain              | Examples  |
|----------------------------|---|
| <b>Health and Diseases</b> | <ol style="list-style-type: none"> <li>Judges would remain unendingly entangled <i>crippling</i> them from performing their normal judicial function. {46const.p.}</li> <li>The Judges of the Superior Courts are not <i>immune</i> from accountability. {46const.p.}</li> <li>Orders which are not anchored in law ... <i>unnerve</i> the other branches of the Government {28c.p.txt}</li> <li>...while committing gruesome and <i>sickening</i> crimes, they have to act in cruel manner {112crl.a.}</li> <li>...establish if such audio tape or video has been edited,</li> </ol> |

| Source Domain         | Examples  |
|-----------------------|---|
|                       | <i>doctored</i> or tampered with or not. {123const.p}   |
|                       | 6. ...no provision exists therein in relation to its <b>healthy</b> operation. {12const.p}  |
|                       | 7. ... is made out to be a vicious individual who harbours <b>ill-</b> intentions against others. {46const.p}                               |
|                       | 8. ...which in the facts and circumstances of the case, was <b>infected</b> with malice. {43const.p}  |
|                       | 9. ...the evidence should be stopped, and <b>remedial</b> measures should be taken to ease the stress and, legal <b>infirmity</b> {94crl.a} |
|                       | 10. ... the prosecution despite availability, being <b>symptomatic</b> of public apathy towards civic responsibilities {44j.p.}             |
|                       | 11. could <b>not</b> be allowed to be <b>cured</b> at such belated stage., {5c.p.}  |
|                       | 12. ...purpose of destabilizing the government, disturbing the society or <b>hurting</b> a section of the society ...{112crl.a}             |
| <b>Life and Death</b> | 1. Article 209 will <b>die</b> in the hearts of people. {46const.p.}  |
|                       | 2. The suit was <b>stillborn</b> from its very <b>inception</b> , {5c.p.txt}  |
|                       | 3. ...such charge <b>survives</b> the change {11c.p.txt}  |
|                       | 4. ...it is here that the principle of public policy is <b>born</b> .{8.c.a}  |
|                       | 5. It is clear that it means a plan or scheme <b>conceived</b> in mind and intended for subsequent execution. {112crl.a }                   |
|                       | 6. ...that exercise of authority by the ATC to transfer the case was <b>premature</b> ... {63crl.p}   |
|                       | 7. ...the compliance of S.79 of the CPC would not prove <b>fatal</b> to the case {36c.p.}   |
|                       | 8. Fundamental rights in a <b>living</b> Constitution are to be liberally interpreted ... {106const.p}                                      |
|                       | 9. ...the other hand he has deposited the whole amount while keeping his application <b>alive</b> . {47c.p}                                 |
|                       | 10. For the sake of certainly it is useful to <b>reproduce</b> the letter... {41c.a}  |

| Source Domain | Examples   |
|---------------|--|
|               | 11. The purchaser is given the flexibility to vary his order quantity throughout the <i>life</i> of the contract. {8c.a}                 |
|               | 12. The jurisdiction under Article, 199 of the Constitution, 1973 ... to be exercised to prevent <i>miscarriage</i> of justice. {59c.p.} |

### 5.3.2.5 War and Conflict

Like journey, wars and fighting have also been basic human experiences since the start of human history. Man has been in a struggle with nature, beasts and fellow human beings for survival and existence throughout history on Earth and thus makes it a quite familiar experience. War, therefore, makes a good source domain to project human experiences involving struggle and strife to other fields which are not quite violent like war but involve a similar structure. Concepts from this domain like *challenge*, *defeat*, *protect*, *strike*, *confront*, *defend* etc., have been used in the present corpus to conceptualize actions and processes of law. Their number is not quite numerous like the other major domains in the corpus as there are only 2100 tokens representing 3.20% of the MUWS; however, it throws significant light on the conceptualization of LAW AS WAR. The metaphorical concept has been discussed in detail in Section 5.3.3.1 under Structural Metaphors.

### KWIC Concordance 5.8

#### *MUWs from Domain of War*

1. The learned counsel for the petitioner next **attacked** the initiation of the Reference for being tainted with malice. {46const. }
2. The petitioner **assailed** the same by filing a criminal revision petition before the Peshawar High Court. {76crl.p }
3. We have specifically **confronted** the learned counsel to show us from the record the material... { 30c.p }
4. **Invasion** of this Constitutional power by any Court would not only amount to demonstrating mistrust in the forum created exclusively for the accountability of judges. { 46const.p }
5. Learned counsel for the respondent has **defended** the impugned judgment. {32crl.a }

### 5.3.2.6 Theatre

The source domain of theatrical performance, though not quite dominant, throws important light on metaphoric mapping in the COLD. There are 1008 MUWs from this domain (e.g., *Play a pivotal role, theatre of security, the real actors of this saga etc.*) which make up almost 1.54 % of all the MUWs in the corpus. Detailed discussion about this domain has been made in Section 5.3.3.1 under Structural Metaphors.

### KWIC Concordance 5.9

#### *MUWs from Domain of Theatre*

6. The composition of the murder of the co-accused by XXX in the High Court has been nothing less than a last straw in the *episode*. {70crl.p }
1. These words, labels and *characterization* seriously offend the right to be a person... {60c.p }
2. In this *backdrop*, the prosecution's failure to recover the weapon, statedly used in the occurrence, fades into insignificance; { 85j.p }
3. The crime *scene* is located at a distance of 15 kilometres from the police station. {50crl}
7. This discussion will *set the stage* and help explain certain aspects of the various statutory provisions relevant to a resolution of the matter in dispute. { 22c.a }
4. Whoever fed him the information are the real *actors* of this *saga*. { 42const.p }
5. Courts of law are under a bounded duty to *entertain* broader interpretation of the "law of bail" ... { 61crl.p }
6. Conversely, if this is the *role* that the President is to *play*, then private persons, i.e., everyone except the government(s) must approach the SJC directly. {43const.p }

### 5.3.2.7 Buildings and Construction

Buildings and construction are commonly used as a source domain to conceptualize abstract concepts like law and its associated concepts as solid structures and buildings with foundations, pillars, entrances and exits. The domains of building and construction emphasize the solid and material existence of law and impose an image of an entity that is based on a strong foundation and pillars. Cases and evidence are metaphorically projected as being established like building by proportionately and skillfully piling up

components in a brick-by-brick manner. In the present corpus, this source domain is represented by 998 tokens in the discourse which is 1.52% of all the MUWS. The majority of them are used as verbs of construction like *build*, *base*, *frame*, *establish*, *maintain* etc., to refer to the systematic process of bringing together parts (ideas, arguments) to construct a case, law or the whole judicial system, while the concepts used as noun represent the parts or functions associated with these concepts like wall, structure, base, doors, threshold etc. as shown in examples given in KWIC Concordance 5.10 below. Metaphors from this domain have been discussed in detail in Section 5.3.3.1 under Structural Metaphors.

### **KWIC Concordance 5.10**

#### *MUWs from the Source Domain of Buildings*

1. The vast machinery employed by the government to “**build**” a reference, make it even clearer how such a tension exists { 43const.p }
2. ...failure of FIA investigation to find sufficient evidence to **establish** the charge of embezzlement and misappropriation. ... { 66c.a. }
3. ...distorts the meaning of our constitutional democracy **founded** on the rule of law promised by our founding fathers. ... { 42const.p }
4. Respondent No.2’s margin of victory fell well within the **threshold** provided in section 95(5) of the Act, vide his {49c.a.}
5. Constitution must be grounded in its own language. It is a language written in invisible ink, between the lines, and derived from the **structure** of the Constitution. {109const }

#### **5.3.2.8 Business and Finance**

Business and financial transactions have been part of human life since ancient times and thus constitute a basic human experience of daily nature for humans. This experience has been used as a source domain in the present corpus with 930 tokens making 1.42% of the total MUWs. Various activities and terms related to business and money like *account*, *value*, *worth* and *business* have been used to project concepts related to legal activities as shown in some examples from the corpus in KWIC Concordance 5.11. The metaphor has been discussed in detail in Section 5.3.3.1 under the heading of Structural Metaphors.

### KWIC Concordance 5.11

#### *Metaphoric Expressions from the Source Domain of Business and Finance*

1. It is important to underline that the police diary is itself not the evidence and therefore inadmissible for having no evidentiary **value**; { 29crl.p}
2. This enrichment is at the **expense** of the plaintiff. { 8c.a.}
3. This approval through circulation failed to comply with Rule 19 of the Rules of **Business**, 1973. { 109const.p}
4. However, once election or choice from amongst two or more available remedies is made and exhausted, the judgment debtor cannot ordinarily be permitted subsequent to **venture** into other concurrently or coexisting available { 72c.p }
5. The language as **employed** in the section is unambiguous. { 112crl.a}

#### 5.3.2.9 Machines and Tools

In the COLD, machines and tools also form a notable source domain to conceptualize concepts in the target domain, particularly in the field of law. Terms from machines, instruments and tools are used to give laws and the institute of law an impression of a complex system that is operating mechanically according to set procedures and makes part of a larger system. There are 836 instances of metaphors coming from this domain which constitutes approximately 1.28 % of all the MUWs in the corpus. Some of the examples from the corpus are reproduced in KWIC Concordance 5.12 while a detailed discussion has been carried out in Section 5.3.3.1 under the heading of Structural Metaphors.

### KWIC Concordance 5.12

#### *Metaphoric Expressions from the Source Domain of Machines and Tools*

1. The appointment letter provided by the petitioner was found as a forged **instrument**; {103crl.p}
2. This leaves no margin for a **mechanical** act by the President. {42const.p}
3. The imposition of a constructive trust by equity is a remedial **device**. { 11c.p }
4. Law is, thus, a **tool** designed to realize a social goal. {131crl.a }
5. The learned High Court has given **artificial** reasoning. {35crl.m.a}

### 5.3.2.10 Religion

In the present corpus, religion was found as one of the minor domains from which metaphorical concepts have been projected onto law. The tokens from this domain are not quite numerous as there are only 798 tokens that make up 1.22% of the total MUWs. Some examples of MUWs from this domain are given below in KWIC Concordance 5.13 while the have been discussed in detail in Section 3.3.3.1 under the heading of Structural Metaphors.

#### KWIC Concordance 5.13

##### *MUWs from the Source Domain of Religion*

1. His initial **belief** that the petitioner in connivance with his former wife murdered the children is essentially structured upon suspicion; {117crl.r.p }
2. A Judge is bestowed with the **sacred** constitutional trust, and .... { 46const.p }
3. Equal protection of law is the **cardinal** principle which runs like a golden chord in all Injunctions of Islam. {84c.p}
4. During the course of the investigation, the respondents **confessed** their guilt. {10c.a }
5. The same Constitution also **ordains** that to enjoy the protection of the law... is the inalienable right of every citizen. {67const.p..txt }

### 5.3.2.11 Minor Source Domains

In addition to the source domains discussed above, there are numerous other source domains found in the present corpus but their number is not quite numerous as compared to the major domains mentioned earlier. Source domains mentioned below constitute less than one per cent each in the COLD but the fact that there are 1520 tokens of metaphors from these domains as a whole in the corpus and that they represent almost 5% of the corpus entails that they cannot be ignored. Some examples from the COLD for these domains have been mentioned in Table 5.14 below.



Table 5.18

*MUWs from Minor Source Domains in the COLD*

| Source domain    |     | Example from the corpus   |
|------------------|-----|---|
| Power<br>Force   | and | <p>(1) Parliament shall have exclusive power to make laws, have the <b>force</b> of law {11c.p.}</p> <p>(2) The real and enduring strength of the judiciary is <b>anchored</b> in ruling according to the Constitution and the law {42const.p...txt }</p> <p>(3) The judiciary must be free from executive <b>pressure</b> or influence which has been... { 43const.p. }</p> <p>(4) Under the Payment Agreement, the provisions of the GSA shall apply and prevail. { 8c.a.}</p>  |
| Earth<br>Nature  | and | <p>(1) He stated “the regional security <b>environment</b>” as a reason of his said order. {106const.p }</p> <p>(2) ...there is no sufficient <b>ground</b> for interfering, dismiss the appeal... { 94crl.a.}</p> <p>(3) ...necessary legislation will be brought into effect within six months to plug this legal <b>vacuum</b>. { 106const.p }</p> <p>(4) A <b>plain</b> reading of Regulation No.59 of the Regulations leaves us in no manner of doubt { 73c.a }</p> <p>(5) The resume of our legislative developments in the <b>field</b> of terrorism shows that ... { 112crl.a }</p> <p>(6) Antiterrorism law in our country has brought about a <b>sea</b> change in the whole concept { 112crl.a.}</p> |
| Cloth<br>Dresses | and | <p>(1) It is detrimental to the very <b>fabric</b> of the society. {64c.p }</p> <p>(2) Extension of the COAS is fully within the constitutional and legal <b>fold</b>. {106const.p }</p> <p>(3) Criminal prosecution requires strict proof through a narrowly <b>jacketed</b> procedure { 52c.p. }</p> <p>(4) the whole process initiated under the <b>garb</b> of accountability of the Petitioner Judge suffers from...{ 42const.p }</p>  |

- (5) The “**cap**” imposed by the parent statute of six percent could not be changed { 22c.a.txt }
- Light and Darkness
- (1) (It) could be said to be one of the **darkest** days in the history of Pakistan’s judiciary. {46const.p.}
- (2) In this chain of events, another occurrence **came to light** as disclosed in paragraph 43 of the petition. { 46const.p. }
- (3) A circumstance that in retrospect seriously **shadows** the hypothesis of disclosure { 37crl.a }
- (4) Eighteenth Amendment Act, 2010 could not have intended to introduce such a blatant and **glaring** absurdity { 122c.a }
- (5) A central issue will always be whether and how the situation might **reflect** adversely on the judge...{ 46const.p }
- Food and Cooking
- (1) The respondents however neither denied the above said essential requirement of **feeding** the exact address, {43const.p}
- (2) Argument structured on a half **cooked** cross-examination. {50crl.p}
- (3) Accused has been convicted ... for the purpose of giving him a **taste** of imprisonment as a lesson. { 59c.p }
- (4) Under the jurisprudence, "mens rea" is an essential **ingredient** of every crime { 112crl.a }
- (5) He maintains that permission to file a **fresh** suit cannot be granted {5c.p.txt }
- Sports and Adventure
- (1) This tendency towards falsehood has been **checked**. {135Crl.M.A}
- (2) The Constitution sets out the **goals**. { 38c.p}
- (3) The Chairman, ... **unleashed** his team to collect evidence {42const.p }
- (4) It is ... not the function of this Court to surrender the hard **won** liberties of the people of Pakistan { 43const.p }
- (5) The aim is to create a **level playing field** between the two and

treat them { 8c.a.txt }

- (6) It was actually made for the purpose of laying **trap** to procure evidence. {123const.p}
- (7) The process of investigating a Judge, much less to embark on a **fishing expedition** against him and his family. {43const.p }

#### The Supernature

- (1) It is also instructive to refer to the **spirit** of Article 203. {106const.p }
- (2) Summaries prepared much before the **magical** date of (10<sup>th</sup> May). {43const.p.}
- (3) For the enforcement of his fundamental rights in our country is not **alien** to the Constitution. { 46const.p}
- (4) Proceedings conducted by the Chairman... to conduct a judicial **witch-hunt** rather than to recover alleged unlawful... {42const.p..}

#### Chemistry

- (1) The **essence** of the Regulation is that if an officer is about to retire. { 106const.p }
- (2) It may be that the greater and clearer the falsehood, the more difficult the task of **extracting** the truth. {135Crl.M.A }
- (3) A constructive trust is the **formula** through which the conscience of equity finds expression. { 11c.p.txt }
- (4) We are at a loss to understand how and from where the Tribunal **derived** the authority. { 66c.a.txt }
- (5) At the same time our short order has **preserved** the rights of the affected taxpayers. { 46const.p}

#### Home and furnishing

- (1) The respondents shall **furnish** their replies to the notices along with such material and record. { 67const.p }
  - (2) ... are sufficient to bring **home** the guilt of the accused. {94crl}
  - (3) AGP ... informed us that on the basis of a complaint **lodged** by the learned Judge FIR. { 123const.p}
  - (4) If the provision is **couched** in prohibitive or negative language, it
-

can rarely be directory. {36c.p}

(5) ... the *seat* of the malice or bad faith is the evil mind. {46const.p }

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### 5.3.3 Types of Metaphors on the Basis of Cognitive Functions

According to Lakoff and Johnson's (2003) and Kövecses' (2010) criteria, there are three types of metaphors according to their cognitive functions. They include Structural metaphors, Ontological metaphors and Orientational metaphors. However, Lakoff and Johnson, (2003) later admitted that categorization of metaphors in these categories was artificial as all metaphors are structural as they map structures to structures. Similarly, all are ontological as they create target domain entities and many of them are orientational as they map orientational image schemas. In the following sections, metaphors observed in the COLD will be classified and discussed in light of this classification.

#### 5.3.3.1 Structural Metaphors

In structural metaphors, one concept is structured metaphorically in terms of another concept. A relatively rich knowledge structure is provided for the target domains by the source domain which enables the speakers to understand the target domain by means of the source domain structure (Kövecses (2010)). The source concept is more clearly delineated and more concrete in structural metaphor than the target concept. According to Lakoff and Johnson (2003), structural metaphors are like ontological and orientational metaphors as they are also grounded in our experiences, but in addition to the functions of referring, quantifying, identifying and orienting of the other two types, structural metaphors involve structuring a target concept in terms of a highly structured and clearly delineated source concept. Structuring involves a partial imposition of gestalt structure from the source domain on the target domain. They are the richest source of metaphoric elaboration, unlike ontological and orientational metaphors which are, though quite important and basic to our understanding, are not as rich as structural metaphors. A set of ontological metaphors may be used as the basic devices for comprehension in structural metaphors (Lakoff and Johnson, 2003). Structural metaphors, according to Lakoff and Johnson, are based on similarities arising out of ontological and orientational metaphors and are based on a consistent set of ontological metaphors. For example, the structural conceptual metaphor LAW IS A BUILDING is based on ontological metaphors like LAW IS AN OBJECT (law may be broken), the law has a structure (framework of law) and the law has foundations (the act is

founded on.) etc. A set of several such ontological metaphors existing in the language gives entity structure to the target concept through ontological metaphors and their internal relationship represents the internal structure of the structural metaphor (Lakoff and Johnson, 2003).

Several structural metaphors have been identified in the COLD which have been discussed in the subsequent pages along with selected examples from the Corpus. They are presented here in the order of their frequency in the corpus. These Structural metaphors were realized through numerous linguistic expressions. Target domains of these structural metaphors were not limited to law only as many of the expressions were those found in language generally. However, in this section, some metaphors of the structural types found in the corpus related to the target domain of law will be discussed.

### **COURT CASE IS A JOURNEY**

The most prominent of these structural metaphors found in the present corpus are related to journey where structures from the source domains of journey and movement have been used to structure metaphoric concepts in the target domain of law. In the present corpus, 165 vehicle terms expressed through 9951 tokens were observed from the domain of journey and movement that are used metaphorically to realize metaphors related to journey. The most prominent of those was the metaphor used to structure law as a conceptual metaphor COURT CASE IS A JOURNEY. These journey metaphors are manifestations of more general metaphors like PURPOSEFUL ACTIVITY IS A JOURNEY, PROGRESS IS FORWARD MOVEMENT and ACTION IS MOTION, CHANGE IS MOTION and EXTERNAL EVENTS AFFECTING PROGRESS ARE FORCES AFFECTING FORWARD MOTION etc., (Lakoff et al, 1991; Grady, 1997; Semino, 2008). They project features of a journey like a beginning, destination, paths and ways, milestones, progress in the journey, hurdles, measurable distances and steps to follow in the process of law. Some examples selected from hundreds of occurrences in the corpus are given below in KWIC Concordance 5.14.

#### **KWIC Concordance 5.14**

##### *Structural Metaphors from the Source Domain of Journey*

1. At the very *outset*, it becomes clear that this plea of the petitioner raises two distinct issues; { 46const.p }

2. It was pointed out: “As to how *far* the evidence of the approver can be accepted...{ 59c.p }
3. The Principles of Policy set out in the Constitution is the *path*, and the *destination*, that the nation has set for itself. { 60c.p }
4. The latter case ... can truly be described as a *milestone* in the context of identifying the true meanings of terrorism. { 112crl.a }
5. The Courts are empowered to scan the evidence to *reach* at a conclusion. {112crl.a }
6. It may then *follow* the steps mentioned in section 428, Cr.P.C. {123const.p}
7. Let us *move* on to the jurisdictional challenge made by the worthy counsel for the respondent. { 63crl.p }
8. The judgment has *gone* far beyond the terms of the said letter. {41c.a.}
9. ...to perform any other act to the *further* progress of the suit. {14c.a.}
10. At this point, the Appellant did have the *avenue* of Review, against the order of this Court. { 49c.a.}

This journey is predominantly presented as a journey by road, but sometimes, the journey takes the form of a voyage through sea as can be seen in examples in KWIC Concordance 5.15.

### **KWIC Concordance 5.15**

#### *Structural Metaphors from the Source Domain of Journey by Sea*

1. The Supreme Judicial Council to consider whether such a report contains sufficient information so as to *embark* upon an inquiry as envisaged under Article 209(5)... {46const.p}
2. The prohibition contained in section 9(b) of the Ordinance. 5. Under our democratic constitutional scheme, firmly *anchored* in the rule of law... {4c.p.}
3. Undeterred by his earlier failures, the respondent *chartered* the course once again. {113crl.p.}
4. A middle course was *navigated* in the UK Supreme Court case. {8c.a.}

A legal journey is often a well-planned journey consisting of all steps like a starting point, a map, guides and directions and a well-thought-out plan as can be seen from some examples in KWIC Concordance 5.16.

### **KWIC Concordance 5.16**

#### *Structural Metaphors from the Source Domain of a Planned Journey*

1. Article 209(5) of the Constitution should be the **starting point** of the discussion. *{46const.p}*
2. Paragraph 8 of the Order **points** in the same **direction**. *{11c.p.}*
3. They can at best return the complaint to the complainant and **guide** him to **approach** the constitutional forums. *{42const.p.}*
4. An infringement thereof may very well **lead** to disciplinary proceedings under Article 209(5). *{46const.p}*
5. We have carefully **mapped** out the trajectory of the law since the inception of the 1965 Ordinance. *{22c.a.}*

However, a journey does not always follow the course as per plan; it is sometimes fast and quick, sometimes slow and lingering and at times marred by obstacles and impediments, thus forcing resorting to bypasses and diversions and even stepping back instead of moving ahead, resulting in agony and trouble for the involved litigants. Examples in KWIC Concordance 5.17 show the rough side of the journey of law.

### **KWIC Concordance 5.17**

#### *Structural Metaphors from the Source Domain of a Journey with Impediments*

1. Indeed, the very purpose of parties going to arbitration is the (relatively) **speedy** settlement of disputes. *{8c.a.}*
2. Therefore, the objector/petitioner xxx has been **lingering** on this matter extending over a period of about 8 years... *{18c.p.}*
3. The Chief Justice refused to give any assurance that this Court will not be an **impediment** in granting judicial clearance of his candidature in the upcoming presidential elections. *{46const.p}*
4. ... the “Marcel Principle” is not absolute and can be **deviated** from. *{46const.p.}*

5. ...would provide a rope to the Respondents to **drag** the petitioners into further **arduous** and **agonizing rounds** of litigation... {5c.p.}
6. ...nor the witnesses can be stripped off their credentials at the investigative stage so as to **divert** the usual **course** of law; {80c.p.}
7. This **course** is invalid for inviting conflicting opinions and **bypassing** the hierarchy of judicial fora. {130C.P.}
8. There is a distinct difference between simply making false evidence... and **obstructing** justice by causing the disappearance of evidence or giving false information. {94crl.a.}
9. The prosecution had miserably failed to **drive** home the charge beyond reasonable doubt... {40crl.p}
10. This development before us led us to take a **step back** and ponder on the very bona fide of the respondents... {45c.a}

Structuring court cases in terms of a journey is almost a universal metaphor and can be found in other cultures as well. However, in the context of Pakistan, this is not very surprising to come across metaphors of journey in legal discourse. The legal process in Pakistan is long, troublesome, agonizing and time-consuming due to the overburdening of the courts and the ever-increasing number of cases. The sufferings involved in litigation for the parties resemble that of a long and arduous journey. Even, physically, litigants have to experience the troubles by travelling from far-flung rural areas involving long distances to reach a district or higher court and pursue their cases. The painful experience of going through court trials and the accompanying long and tiresome journeys, in the absence of good road infrastructure and proper public transport system, to reach the courts, draw a natural analogy in the mind between court cases and journeys in the context of Pakistan. At times, the journey may be bearable and short but often, the desire to reach a speedy settlement of the case ends up in unending woes for the litigants. The culmination of a case for the litigants (at least the winner side of a case), the lawyers and the judges alike may provide some sense of achievement as experienced by the travellers after arriving at their destination at the end of a long and arduous journey. According to Charteris-Black (2004), metaphors from the domains of journey and building are conceptually related and they represent activities where progress is achieved in stages towards a pre-determined destination or a valuable goal, both requiring time, effort and patience. Both activities involve progress- in the case of traveling, the progress is horizontal while in the case of building, the progress is mostly vertical. However,



in both cases, the outcome is mostly positive. So, journey metaphors positively evaluate the process of justice by presenting destinations as desirable goals, achieved after an arduous journey.

### **COURT CASE IS A CONFLICT/ A BATTLE**

After the journey, the next dominant conceptual metaphor of the Structural Metaphor type in the present study is COURT CASE IS A BATTLE/CONFLICT. There are 1246 instances of linguistic expressions used in the corpus using 80 token types to realize this metaphor. The metaphor may be another manifestation of the conceptual metaphor ARGUMENT IS WAR, as court cases basically consist of arguments in the court. In structuring the court cases in terms of war, the components of war like weapons, attack, defence, counter attack etc., are projected upon the concept of a law case. Here the weapons are arguments, evidence, witnesses, laws and counterarguments. The court case is structured in this type of metaphor as war on the basis of perceived structural similarities between the two domains. Like war, lawyers plan, make strategy, attack, defend, assail, target the opponents through provisions of law, fortify their positions and secure the interests of their respective clients. According to Charteris-Black (2004), war evokes a cognitive script, starting with the identification of the enemy, the call for action, the struggle against the enemy and the subsequent results in the form of victory, surrender or punishment. In the case of legal cases, the same cognitive script is followed, pointing towards several structural similarities. Apart from structural similarities, Hamilton (1995) believes that traditionally, the profession of law has been associated with the military, religion and gentility to exalt and distinguish it from other money-earning professions. According to Hamilton, using military metaphors in the language of law may evoke attributes associated with the military like homogeneity, uniformity and the no-questioning mode of behaviour about legal decisions. Moreover, Hamilton (1995) says that military metaphors, in addition to referring to the mode of competition and defeat of the opponents, may also point to the traditional features associated with the military, like sacrifice, helping the poor and disregard for profitability, thereby, suggesting that lawyers might have to sacrifice their time and finances in certain cases to help the helpless. In the context of Pakistan, it is also not astonishing that concepts of war, strife and struggle are used to talk about legal concepts because, in most cases, it is the physical fight between the litigants that ends up in the courts. The confrontation between the conflicting parties usually starts with arguments and may lead to a physical fight, ranging

from the exchange of blows and slaps to the use of available tools like batons, spades, bricks and in some cases even knives and firearms, ultimately leading to the landing of the cases in courts. This correlation between the two experiences may also be the reason behind this type of structuring. Examples in KWIC Concordance 5.18 below from the corpus highlight this metaphor: -

### **KWIC Concordance 5.18**

#### *Structural Metaphors from the Source Domain of War and Conflict*

1. The Appellants **challenged** the impugned judgments before this Court. {1c.a.}
2. The Act is designed to **protect** the suppliers and buyers of sugarcane. {11c.p.}
3. Learned counsel for the respondent has **defended** the impugned judgment. {32crl.a.}
4. This approach adopted by the court is by no means a short-cut which is **offensive** to fair trial under Article 10-A of the Constitution. {54c.r.p.}
5. His surviving brother XXX did not join him as one of the plaintiffs and was **arrayed** as a **defendant** in the suit despite being necessary parties. {5c.p.}
6. The petitioner **assailed** the same by filing a criminal revision petition before the Peshawar High Court. {76crl.p}
7. We have specifically **confronted** the learned counsel to show us from the record the material... {30c.p}
8. In such eventuality, the entire **scheme** of the law is **defeated** if the rights of the cane growers are not **protected**. {11c.p}
9. **Surrender** to custody by the petitioner shall not include surrendering before a court with an application for bail. {134C.P}
10. **Invasion** of this Constitutional power by any Court would not only amount to demonstrating mistrust in the forum created exclusively for the accountability of judges. {46const.p}
11. To **fortify** his submission, he stated that a Judge of the Supreme Court did not fall within the definition of "Service of Pakistan". {46const.p}
12. The learned counsel for the petitioner next **attacked** the initiation of the Reference for being tainted with malice. {46const.}

## JUDICIAL PROCESS IS A THEATRICAL PERFORMANCE

Discussion about structural metaphors in the COLD reveals that metaphors from the source domains like journey, war, building, and particularly worship establish law to be of quite a serious, grave and sober nature. In such a discussion, metaphor like JUDICIAL PROCESS IS A THEATRICAL PERFORMANCE seems out of place and tune with the overall theme of the discussion. However, corpus analysis reveals that there were 1008 tokens of structural metaphors where concepts from the theatrical domain were used to structure concepts from the domain of law with the help of 36 vehicle terms, most of them giving rise to the conceptual metaphor JUDICIAL PROCESS IS A THEATRICAL PERFORMANCE. Some of these examples from the corpus are given below in KWIC Concordance 5.19.

### KWIC Concordance 5.19

#### *Structural Metaphors from the Source Domain of Theatre*

1. The composition of the murder of the co-accused by XXX in the High Court has been nothing less than a last straw in the *episode*. {70crl.p}
2. These words, labels and *characterization* seriously offend the right to be a person... {60c.p}
3. Articles 137 and 140 A have to be read in *harmony*. {12const.p}
4. His statement is in complete *unison* with XXX PW and the defence counsel opened cross-examination. {50crl.p}
5. In this *backdrop*, the prosecution's failure to recover the weapon, statedly used in the occurrence, fades into insignificance; {85j.p}
6. The crime *scene* is located at a distance of 15 kilometres from the police station. {50crl}
7. This discussion will *set the stage* and help explain certain aspects of the various statutory provisions relevant to a resolution of the matter in dispute. {22c.a}
8. No law shall be enacted which is repugnant to such Injunctions {135Crl.M.A}
9. Whoever fed him the information are the real *actors* of this *saga*. {42const.p}
10. Conversely, if this is the *role* that the President is to *play*, then private persons, i.e., everyone except the government(s) must approach the SJC directly. {43const.p}

11. The case in hand, despite the brutality *displayed* by the culprits and the consequent horror, shock, fear and insecurity.... {112crl.a}
12. Courts of law are under a bounded duty to *entertain* broader interpretation of the "law of bail" ... {61crl.p}
13. It appears a treacherous attempt to provide the petitioners a safe *exit*.  
{52c.ptxt}
14. As per *recital* "C" of the MoU, the assets of the Company comprise various pieces and parcels of land as described in Schedule 2 of this MoU. {97c.p}
15. The said observation of the High Court has, therefore, *prompted* us to elucidate briefly that these are the grounds under the Constitution. {4c.p}

These examples highlight the metaphoric similarities between court proceedings and theatrical performances. The structuring of court judgements in terms of dramatic performance brings forth the perceived similarities between the two domains. Ball (1975) explains this similarity in detail by asserting that judicial court is a type of theatre (judicial theatre) as it shares some of its characteristics like space (e.g. courtroom design with seating for the judge, jury and audience, costumes of the judges and lawyers, and ceremonies like rising at the entry of the judge), audience (judge, jury and spectators ) and format of drama (protagonists, antagonists, dialogues, exposition, conflict, climax, sequence and mode of persuasion etc.). The judge, jury and defendants also have the dual role of actors and audience while the attorneys play the roles of actors and directors.

Ball (1975) has elaborately discussed the implication of such projection and concludes that presenting court judgements as theatrical performance renders the judge and jury as impartial actors, objectively involved in the whole process and doing justice according to the law, not according to their will, by assuming disinterestedness in their role of decision-making just like the characteristic disinterestedness of actors in their theatrical roles. Furthermore, Ball (1975) believes that presenting court proceedings as theatrical performances minimizes conflict and physical fighting in society by channeling the urge to fight and desire for conflict and revenge into ritually acting out arguments, suing and defence in a controlled environment of the court.

## LAW IS A BUILDING

The next dominant structural metaphor observed in the corpus is that of the conceptual metaphor LAW IS A BUILDING. The metaphor portrays the solid structure of law and connotes its concreteness and physical existence. In this category of metaphors, the structure of building from the source domain is projected on the concept in the target domain of law to give rise to the metaphoric expression. The metaphor implies that law is concrete, solid and strong, having strong foundations, infrastructure and walls like a building. There may be forces that may shake, weaken or damage this structure but itself it offers a haven for those seeking protection. Its doors remain open for those who want to get protection inside. The strong structure will provide protection to the seekers. In the present corpus, 65 vehicle terms were observed in the corpus including *building*, *base*, *structure*, *construct*, *framework*, *foundation* etc., that were used to project the metaphor with 1081 tokens of the metaphor itself. According to Charteris-Black (2004), metaphors from the domain of ‘*building*’ represent a positive evaluation because the activity of building requires patience and collective effort leading to a valued outcome. On the same pattern, valuable outcomes in society will require social cooperation, collective effort and patience to achieve results as instant results are not possible in this process. MUWs like *framework*, *foundation* and *basis* point to a series of intentional actions with expected positive outcomes (Charteris-Black, 2004). According to Kövecses, (2010), metaphors from the domain of building represent the solid structure of the target domain (in the present case ‘Law’). Though there are several other target domains in the corpus, the discussion is focused on law as the target domain. Some examples from the corpus are given below in KWIC Concordance 5.20.

### KWIC Concordance 5.20

#### *Structural Metaphors from the Domain of Building and Construction*

1. Every Constitution ***establishes*** its own constitutional dispensation... {22c.a}
2. Disqualifying the appellant in terms of Article 62(1) (f) of the Constitution was ***based*** on proper scrutiny of the evidence evaluated by a court ... {23c.a}
3. The Act shall be made by the Authority, empowered under the Act to ***frame*** the Rules. {82c.a.}
4. This decision was ***maintained*** by the Labour Appellate Tribunal vide judgment ... {15c.a.txt}

5. ...**doors** of the constitutional forum i.e., Supreme Judicial Council are always **open**...  
{67const.p}
6. It is a language written in invisible ink, between the lines, and derived from the **structure** of the Constitution. {106const.p}
7. Truth is the **foundation** of justice and justice is the core and **bedrock** of a civilized society. {135Crl.M.A}
8. Hence, the stance of the Petitioners regarding mala fide of the Federal Government did not cross the legal **threshold** to saddle it with the responsibility. {46const.p}
9. .... paragraph 13 of the SJC Procedure of Enquiry 2005, which alone would hold the **key** to its proper contextualized interpretation. {46const.p}
10. ...provisions of the Anti-Terrorism Act, 1997 have now to be **shaken** or shrugged off... {112crl.a}
11. Such **intrusion** and **encroachment** into the private life of a citizen by the State actors totally **demolishes** the scheme of fundamental rights under the Constitution. {42const.p}
12. SJC implements its mandate and regulates its own proceedings; these carry special force and thus stand on a higher **pedestal** than ordinary laws. {46const.p}
13. This principle is **pillared** on the constitutional right to liberty, fair trial and human dignity. {4c.p.}
14. In our legal system, law evolves **brick by brick** and from judgment to judgment. {122c.a}

## LEGAL SYSTEM IS BUSINESS

There are 930 instances (tokens) with 43 vehicle terms (token types) of this conceptual metaphor where business, finance and economic activities have been used to structure concepts from the legal system. The presence of business metaphors also apparently seems out of place in a field that is highly revered for its selfless and humanitarian contribution to society. For example, as discussed earlier, Hamilton (1995) says that military, Christianity and gentility were traditionally the dominant concepts in the language that were used to describe the lawyers' profession and thus set it apart from money-getting trades. He quotes the Canadian Bar Association Code of Professional Conduct, 1920 (CBA 1920 Canons) for law professionals, which says that "law is a profession, not a business" (p. 846). This implies

that a legal career is not to be pursued for financial gains by following market principles. However, Hamilton observes that with the Industrial Revolution, metaphors related to machines and business started finding space in the language of law. Similarly, Bröchner et al., (2015), while analyzing business metaphors in Swedish laws observe that the use of business metaphors has increased in legal language, however, according to them, for a different reason. While analyzing the term ‘business-like’ in the Swedish legal language, they observed that business terms like this were introduced in legal language to increase public sector efficiency, restrict state aid to legal institutions and regulate conflict of interest etc. It may be suggested that the business metaphor in legal discourse is also in tune with the reification metaphor used to render abstract entities and ideas into concrete objects. In addition, business metaphors in law highlight another aspect of profitability or expectations of positive outcomes as business activities are undertaken with the sole purpose of achieving positive outcomes or profit (Charteris-Black, 2004). So, the positive outcome from the process of law may be highlighted by this type of metaphor. Some of the examples from the corpus are given below in KWIC Concordance 5.21.

### **KWIC Concordance 5.21**

#### *Structural Metaphors from the Domain of a Business and Finance*

1. The scope of the Rules of Business made under Article 99(3), as above explained, is restricted only to the "allocation and transaction" of the **business** of the Government. {42const.p.txt}
2. However, it is to be noted that the language **employed** in Section 22(6) by using the words final order" instead of "ejectment order.... {9c.p.}
3. ...it is only after considering the **worth** and strength of the objections, the law has conferred discretion upon the Court to pass appropriate order. {26c.a.}
4. The Appellant after almost five years from the date of the ejectment order, **ventured** to invoke Section 47. {11c.p.}
5. In this regard, he entered into a plea **bargain** in reference No.07/2001... {64c.p.}
6. This objection has little **value** when the plaintiff's own witness No. 1 XXX admitted in the cross-examination... {17c.a.}
7. ....the existing law that came to its **share** by taking away the conferment of statutory powers or duties on the Provincial Governments. {22c.a}

8. The terms and conditions of a certain agreement will apply to the agreement between the parties will not **import** the arbitration clause into the agreement. {8c.a.}
9. .... the court cannot **buy** support for its decisions by spending money. {42const.p. }
10. The department shall after due verification of the same, give due **credit** to the petitioner. {99c.p}
11. Owing to the various issues in this case, each will be **dealt** with separately. {8c.a.}
12. Foundations of judicial institutions stand on public confidence and public trust that **lend** them legitimacy and public acceptance. {42const.p}
13. The courts **owe** more than verbal respect to the principle that punishment begins after conviction, {59c.p.}
14. ...in the absence of any express prohibition in the Act, it can **borrow** the procedure from available avenues, chartered by law. {20c.p}
15. The **benefit** of Section 382-B Cr.P.C. was also extended to the accused. {29crl.p}

## LEGAL SYSTEM IS A MACHINE

This conceptual metaphor is next in frequency after the Business domain in the category of Structural Metaphors in the present corpus. There are 836 tokens of MUWs representing the metaphorical structure with the help of 42 token types. The metaphor is based on the concept that the system of justice, like other systems e.g., government system or corporate system etc., is made of several inter-connected parts working together in a logical manner towards achieving the desired results. The phrase *legal system* itself points to its projection as a complex machine. According to Deignan (1995), the conceptual metaphor LAW IS MACHINE is often used to refer to the details and procedures of a complicated system of law and the way it operates “(often slowly)”. It may highlight the process of law as a mechanical, impersonal and complicated system as part of a larger system. Some of the examples from the corpus are given below in KWIC Concordance 5.22.

### KWIC Concordance 5.22

#### *Structural Metaphors from the Domain of Machines and Tools*

1. It was held that statutory instruments **regulating** price, delivery, supply, and restricting areas for **transactions** do not impede the freedom of contract.... {11c.p}
2. Any statement made, return furnished, or accounts or documents **produced** under the provision of this Ordinance; ..... shall be confidential, {43const.p}



3. In our view, no set formula can be **fixed** with regard to every omission to list an asset in the nomination. {23c.a.txt}
4. With the leave of the Appellate Court, against the sentence passed unless the sentence is one **fixed** by law. {94crl.a}
5. The cane growers also have a statutory first charge through the **operation** of Section 53(2) of the Sales of Goods Act, 1930. {11c.p.}
6. Since the Act is a special law, a special **mechanism** has been created under the Act... {11c.p.}
7. ... the complainant was fed the information to **generate** the complaint. {42const.p}
8. This issue **pivots** on the question of the status of Respondent as legal heirs of... {79c.p}
9. ...at the same time, the prosecution cannot be saddled to come forward with details hyper **technical, artificial** or illusory. {70crl.p }
10. ...the interest of this country can only be secured and served when the executive and judicial **machinery**, while performing their functions and exercising their duties adhere to the law. {59c.p}
11. Our judicial **system** has suffered a lot as a consequence of the above-mentioned permissible deviation from the truth. {135Crl.M.A}
12. The imposition of a constructive trust by equity is a remedial **device designed** to prevent unjust enrichment... {11c.p.}
13. ... fear or insecurity is just a **by-product**, fallout or an unintended consequence of a private crime. {112crl.a}
14. Article 22 of the Qanun-e-Shahadat Order, 1984 provides **mechanics** to enable the witnesses to establish the identity of unacquainted assailants. {70crl.p}
15. This would have a far-reaching effect as it would **dismantle** the independence and neutrality of the Council and the constitutional scheme under Article 209. {42const.p}
16. The power of arrest should not be deployed as a **tool** of oppression and harassment. {59c.p}
17. It covers all stages of the arbitral **process** from the arbitration agreement, the composition and jurisdiction of the arbitral tribunal. {8c.a.}

### **PRACTICE OF JUSTICE IS THE PRACTICE OF RELIGION**

Conceptualizing and structuring justice in terms of worship is a common metaphor in many cultures. As discussed earlier, Hamilton (1995), while discussing the Twentieth

Century Code of Conduct of Lawyers in North America (CBA 1920 Canons), observes that predominant metaphors of lawyers' professionalism are "clustered around the concepts of military, Christianity and gentility" (p. 834). While discussing the Code of conduct for lawyers and the views of law scholars about the legal profession, Hamilton quotes Justice Milvain (1982) views who thinks that law professors should be the "priests in the Temple of Law" (p.844) and concludes that legal texts are replete with metaphoric expressions from the source domain of Christianity. He observes that even the architectural structure and seating arrangements of the court resemble that of a church.

In the context of Pakistan, Islam is the state religion and the preamble of the Constitution categorically states that no law will be enacted in the country that is against the injunctions of Islam. There are even several quotations from the Holy Quran observed in the present corpus relating to the importance of doing justice and fairness, referring to delivering justice as a religious obligation in Islam. It is but natural to find expressions in the legal discourse where the law is sanctified to the level of discharging religious obligations. In the corpus, there are 792 instances of the conceptual metaphor realized with the help of 42 vehicle terms. The metaphor endeavours to establish the sanctity and majesty of law and its associated institutions/individuals to inspire respect, dignity and approbation in the minds of the people. Some of the examples from the corpus are given in KWIC Concordance 5.23.

### **KWIC Concordance 5.23**

#### *Structural Metaphors from the Domain of Religion*

1. The Petitioner has **invoked** the constitutional jurisdiction of the Supreme Court under Article 184(3) ... { 46const.p }
2. His initial **belief** that the petitioner in connivance with his former wife murdered the children is essentially structured upon suspicion; {117crl.r.p }
3. He also **prayed** for a decree, ordering the cancellation of the above-mentioned mutations. { 59c.p }
4. A Judge is bestowed with the **sacred** constitutional trust, and .... { 46const.p }
5. The discriminatory approach of NAB is affecting its image and has shaken the **faith** of the people in its credibility and impartiality. { 59c.p.}
6. The same Constitution also **ordains** that to enjoy the protection of the law and to be treated in accordance with the law is the inalienable right of every citizen. {67const.p }

7. On a conceptual plain, Article 117 of the Order *enshrines* the foundational principle of our criminal justice system... { 94crl.a }
8. Legal protections, however *sacrosanct*, are inadequate to preserve liberties in a society that values outcomes over due process and is happy to *sacrifice* procedural safeguards at the *altar* of expediency. { 59c.p.}
9. These fundamental values are to be protected at all costs in order to uphold the *majesty* and supremacy of the Constitution. {46const.p }
10. During the course of the investigation, the respondents *confessed* their guilt. {10c.a }
11. It also makes reference to the Oath of the Judges and their *solemn* duty to uphold and submit to the Constitution and the law. {46const.p }
12. Equal protection of law is the *cardinal* principle which runs like a golden chord in all Injunctions of Islam. {84c.p}
13. Giving false testimony has many *evils*. {135Crl.M.A }
14. An obligation similar to the one set out in Rule 4.7 is also present in *Canon* 3(C) (2) of the United States Code of Conduct for Federal Judges {46const.p}
15. ... resorted to challenge the very order of the Insurance Tribunal by *resurrecting* the application under section 12(2) CPC, {71c.p}

## LAW IS A LIVING ORGANISM

In the COLD, 274 linguistic expressions were found related to the source domain of living organisms. Most of them expressed the conceptual metaphor LAW IS A LIVING ORGANISM. In the present corpus, both plants and animals have been used as source domains to conceptualize law or the process of law as plants or animals. The most prominent among them from the animal domain are related to animal behaviour (e.g., *brutal, unbridled, blinkered, unleash*), while those from the domain of plants are related to growth (*plant, flourish, grow, evolve, thrive, yield*). The majority of these activities are expressed in the form of verbs while features of law from the domain of plants are mostly adjectives (e.g., *productive, sterile, fruitful, perennial* etc.). In some cases, parts of the plant like *seed, root, stem* and *branch* are used to conceptualize abstract or less delineated concepts, like *growth, strength* and *parts* of an entity. These types of metaphors, along with suggesting the growing nature of Law, also highlight the requirements of ideal conditions for its nurturing which include a fertile ground and an appropriate environment to let it flourish to the fullest potential. Law is deeply *rooted* in the political and social system of the state. When taken

care of, it will be fruitful and yield the desired results. Some examples from the corpus are given below in KWIC Concordance 5.24.

#### **KWIC Concordance 5.24**

##### *Structural Metaphors form the Domain of Animals and Plants*

1. We have examined the statements of recovery witnesses; they are in tune with each other with no apparent motive to **hound** the petitioner on a trump-up charge. {69crl.p}
2. In the present case the assailants who committed the **brutal** acts of causing the death of five persons the petitioner cannot be saddled with the criminality. {112crl.a}
3. Mere focusing on the legislative intent alone fails to regard the statute as **a living organism** in a changing environment making it insensitive to the existence of the system in which the statute operates. {131crl.a}
4. Some rules are vital and go to the **root** of the matter, they cannot be broken. {31crl.a.}
5. Law is not static rather it is **growing** day by day. {61crl.p}
6. The judicial consensus that has **evolved** over time on the undisputed features of the inherent jurisdiction of the High Court under section 561-A. Cr.P.C. is curative in nature... {63crl.p}
7. In such proceedings, it **transpired** that she was not possessing an active license to practice as an advocate. {51c.p}
8. The case **stems** from a Notification dated 08.03.2018 ("Notification") issued by the Industries, Commerce and Investment Department. {25c.p}
9. The need for caution in exercising the drastic power of arrest has been emphasized time and again, by Courts but has not **yielded** desired result. {59c.p}
10. Thus, the legislature may let the field lie "**fallow**" for years, even decades... {22c.a.}
11. ...as provided under Article 184(3) of the Constitution, has been an issue of **perennial** deliberation of this Court. {46const.p}
12. The judicial pronouncements **germinating** from the United States of America.... {46const.p}
13. The doctrine of binding precedent promotes certainty and consistency in judicial decisions and ensures an **organic** and systematic **development** of the law. {26c.a}
14. .... such a charge **survives** the change in the nature of the goods. {11c.p.}

15. Judicial independence is composed of two foundations: the independence of the individual judge and the independence of the judicial *branch*. {46const.p}

### 5.3.3.2 Ontological Metaphors

Ontological metaphors (Physical metaphors according to Lakoff and Johnson, 1980) project entity, substance or container status on ideas, experiences, activities, events, or emotions, which they inherently do not have. Ontological metaphors are based on our experiences with physical objects as we treat our experiences as discrete objects by referring to them, quantifying them and grouping them. Generally, concepts from the physical domains are used to project concepts from the cultural or intellectual domain (Lakoff & Johnson, 1980). Experiences are conceptualized as objects and entities in a general way without specifying their exact and specific nature. In most cases, further delineation of the concept into specific objects and entities is achieved through structural metaphor (Kövecses, 2010). Ontological metaphors generally project abstract concepts and experiences as physical objects, humans or containers. According to Philippopolis-Mihalopoulos (2016), through reifying metaphors, law is presented as solid, stable, measurable and scientific to satisfy the expectations of society about the reliability of law. He further says that container metaphors arise in discourse due to the human need for separation of self from the environment and to set an enclosure and boundary between self and the outside world.

In the present corpus, ontological metaphors were found to be the highest in frequency (38644) representing 59.06% of all the MUWs. Most of the ontological metaphors in the corpus involved projecting non-physical concepts like ideas, activities and actions as physical objects and this type of ontological metaphors were the highest in number among all types of ontological metaphors with a frequency count of 16305 tokens. Some of the examples are shown in examples from the corpus in KWIC Concordance 5.25.

#### KWIC Concordance 5.25

##### *Ontological Metaphors*

1. The *pith* and *substance* of each "existing law" had to be determined. (Law as substance) {22c.a.}
2. There is no provision in the Constitution to *suspend* his judicial powers during the inquiry proceedings. (Judicial powers as object) { 42const.p }

3. ...request for withdrawal of litigation must be **weighed** in the light of the question.  
(Litigation as object) {106const.p}
4. ...petition ... does not prohibit the court from **applying** its judicial mind to the question... (Mind as machine) { 26c.a }
5. ...it would **dismantle** the independence and neutrality of the Council. (Independence of council as machine) {42const.p }

Similarly, ideas and activities are presented as containers through ontological metaphors. There were 11813 tokens of these types of ontological metaphors. However, such a huge number was due to some prepositions like *in* (with the highest frequency of 10342 in the whole corpus), *within*, *inside*, *through* and *into* that were used to conceptualize target domains as containers. By excluding them and considering only lexical words, 2207 tokens of MUWs are used as ontological container metaphors. Some of their examples from the COLD are given below in KWIC Concordance 5.26.

### **KWIC Concordance 5.26**

#### *Ontological Metaphors from the Domain of Containers*

1. ...that fraud has been perpetrated **in** the process of carrying out the sale. {26c.a.}
2. He is taken to know the law and act **within** the law. {42const.p}
3. Court drew a distinction between an interest arising **out of** the operation of law.  
{11c.p.}
4. The procedure adopted ... being very much within the confines of Article 225 of the Constitution {122c.a.}
5. This second agreement did not **contain** any arbitration or jurisdiction clause. {8c.a}

Closely related to container metaphors are the visual field metaphor where our field of vision is conceived as a container with boundaries and whatever we see is perceived to be lying within these limits as highlighted by examples in KWIC Concordance 5.26.

### **KWIC Concordance 5.27**

#### *Ontological Metaphors Related to Visual Field*

1. Functioning as he does **in full view** of the public, a Judge gets all the publicity...  
{46const.p}

2. The completion of the trial is not yet *in sight*, for no fault of the petitioners. {4c.p}
3. All police officials .... must be kept outside the Court and *beyond the view* of the accused. {59c.p.}

Personification is another important category of ontological metaphor where human qualities are given to non-human objects (Lakoff and Johnson 1980; Kövecses, 2010). In the present corpus, 6658 metaphoric expressions were related to personification realizing the conceptual metaphor LAW/ACT/CONSTITUTION IS A PERSON. Some of the examples from the corpus are given in KWIC Concordance 5.28.

### **KWIC Concordance 5.28**

#### *Ontological Metaphors from the Domain of Humans*

1. Before moving on to consider the Ordinance as it *stood* prior to its replacement by the 2016 Act. {22c.a.txt}
2. The afore-discussed main rule shall *suffer* serious change if and when it is examined .... {135Crl.M.A}
3. ...so that it may not *step out* of its role and jurisdiction as *prescribed* by the constitution... {43const.p}
4. This very Section itself *admits* and *recognizes* that the local governments cannot be suspended... {12const.p.}
5. The power and authority of all the various *organs* of the State are *conferred* by law. {43const.p}

Personification is an important category of ontological metaphors as by describing abstract objects as humans, they are rendered as capable of physical existence like someone who is living, can move, hear and observe and have other powers and potentials of a human being. Giving human qualities to law renders it also capabilities like *to hold*, *to grow* and *to reproduce* and thus acts like a human being. Some examples below in KWIC Concordance 5.29 highlight these aspects.

## KWIC Concordance 5.29

### *Ontological Metaphors Related to Personification*

1. The constitutional scheme of independence of the judiciary is not to shut its **eyes** and **ears** to the complaints against the judge. {42const.p}
2. Fundamental rights in a **living** Constitution are to be liberally interpreted... {106const.p}
3. The learned Attorney-General for Pakistan has, however, very candidly submitted before us that in the entire **body** of laws .... there is no express provision... {106const.p }
4. ...courts meticulously appraised the evidence to discard bald denial pleaded by the petitioners in the **face** of positive evidence. {40crl.p}
5. ...it is confidence in the men and women who administer the judicial system that is the true **backbone** of the rule of law. {106const.p}
6. However, this concept of joint cross-examination is one which is not **recognized** by the law. {76crl.p}
7. ...the Constitution also **dictates** for the worthy President not to be bound by the said "advice". {46const.p}

An important aspect of personification noticed in the Corpus was the presence of numerous metaphors related to human relations as shown in Table 5.19. These metaphors establish law and its components as part of a family. Similarly, MUWs like *brothers* and *fraternity* also play an important ideological role as has been discussed in **Section 5.4.3.5**.

**Table 5.19**

### *Ontological Metaphors from the Source Domain of Human Relations*

| MUW             | Example from the corpus  |
|-----------------|--|
| <b>paternal</b> | “The original object of this legislation appears to have been to confer upon superior criminal Courts, in all cases where no appeal was provided, a kind of <b>paternal</b> or supervisory jurisdiction. { 63crl.p } |
| <b>ancestor</b> | Article 243(4), which carries a long constitutional <b>ancestry</b> since 1956, provided in its original form that .... { 106const.p }   |
| <b>brother</b>  | I, along with my learned <b>brothers</b> XXX and XXX, joined the other learned   |



| MUW               | Example from the corpus   |
|-------------------|---|
|                   | brothers of the Bench in quashing the purported Reference against the petitioner. { 43const.p }   |
| <b>couple</b>     | There are statements of 8 witnesses <i>coupled</i> with documentary evidence, which clearly reflect that the finding given by the learned Trial Court was fully justified. { 35crl.m.a }        |
| <b>fraternity</b> | The petitioner commands great respect in the legal <i>fraternity</i> . { 46const.p }  |
| <b>mismatch</b>   | Insofar as wage limits were concerned, *** clearly, there was a <i>mismatch</i> . {22c.a.}  |
| <b>progeny</b>    | The controversy arising out of Payment Agreement is <i>a progeny</i> of the GSA and cannot be <i>divorced</i> from the parent GSA. { 8c.a.t}  |
| <b>espouse</b>    | The main objectives <i>espoused</i> through the preamble to the Constitution, professes independence of judiciary. { 43const.p }  |
| <b>Foster</b>     | The rule of law and consistency in approach can be only <i>fostered</i> and strengthened if criminal cases are decided in a uniform way. { 135Crl.M.A }   |
| <b>wedded</b>     | They led to the recovery of pistols P-11 & P-7, forensically found <i>wedded</i> with the seized casings. { 70crl.p }   |
| <b>akin</b>       | It is to be noted that the powers conferred on the Rent Controller under subsection 6 of Section 22 of the Act, 2009 are more <i>akin</i> to the provisions of Order XXXVII Rule 2 CPC. {9c.p.} |
| <b>adopt</b>      | We feel there was sufficient material before the Chief Justice of the Sindh High Court to <i>adopt</i> such a course. { 51c.p }   |

According to Lakoff & Johnson, (1980, 2003) and Kövecses (2010), Ontological metaphors are commonly used for the purpose of referring (example Sentence 1 & 2), quantifying (example Sentence 3 & 4), identifying aspects (example Sentence 5 & 6), identifying causes (example Sentence 7 & 8) and setting goals and purposes (example Sentence 9 & 10) as shown in the examples in KWIC Concordance lines 5.30 below:

### KWIC Concordance lines 5.30

#### *Ontological Metaphors and their Functions*

1. The *spectrum of fair trial* and *due process is* extensive and over-arching; {4c.p.}
2. The *compulsion of law* is not coercion as defined in S. 15 of the Act. {11c.p.}

3. The weapon shown to have been belatedly recovered is not of *much consequence*. {50crl.p.}
4. The complainant, dissatisfied with the *quantum of sentence*, came up with a petition... {114crl.m.a}
5. The theatre of terror generates *a visceral fear of anarchy*, making people feel as if the social order is about to collapse. {112crl.a}
6. Unlawful surveillance of the Petitioner Judge and his family is *deeply worrying*. {42const.p}
7. The appreciation of evidence has *caused* a failure of justice. {94crl.a}
8. *Because* of the strong wave of terrorism that engulfed this Country, it was felt necessary... {43const.p}
9. It would be very essential *to seek* strong and independent corroboration against each one of the accused.... {135Crl.M.A}
10. The *object* of the Act is to bring such assets on record ..... {46const.p}

Ontological metaphors are significant from the point of view of the present study and their highest frequency in the present Corpus is a testimony of its significance. Many concepts in the law are abstract and they require metaphoric projection through concrete and familiar entities for their comprehension. Objectification and personification are the main types of mappings used for this purpose, which give concrete physical existence to them. According to Lakoff and Johnson (2003), ontological metaphors are some of the most basic devices available to us for comprehending our experience. In the light of our experiences with physical objects and substances, we understand part of our experiences and treat them as physical objects or substances and can refer to them, categorize and group them and quantify them accordingly. These types of metaphors, because of their being so pervasive and natural, are often not noticed and are taken as self-evident (Lakoff and Johnson, 2003).

### 5.3.3.3 Orientational Metaphors

The third type of metaphors mentioned by Lakoff and Johnson (1980; 2003) and Kövecses (2010) are the orientational metaphors which helps in organizing a system of concepts in relationship to other concepts and gives them a spatial orientation. Kövecses (2010) also terms them coherence metaphors as they make target concepts coherent in our conceptual system. Orientational metaphors are based in our physical and cultural

experiences; for example, the orientational metaphor of the *Up/down* category has a basis in our body position where *up* is associated with *good, control, health, high status, more etc.*, and *down* with their opposites. From our very childhood, we have interaction with such experiences as things more in number/quantity make a higher pile than things in lesser number/ quantity (Deignan, 2005). Based on our experience in the physical world, we assign certain orientations like *up/down, front/back, in/out* etc., to ourselves as well as other objects relative to the environment where we function, in order to comprehend them (Lakoff and Johnson, 2003). Orientational metaphors like *up/down, central/peripheral, front/back, whole/part* etc., have a bipolar schema (Kövecses, 2010). Some orientations (*up, central, whole, in front of*, etc.) are given a positive evaluation while their opposites (*down, peripheral, not-whole, back, out*) are assigned a negative evaluation. However, metaphors based on these orientations may differ from culture to culture. In the present corpus, there are 7918 instances of orientational metaphor that have been realized by 72 token types. Most of these come from the class of prepositions; however, other categories of words including adjectives, adverbs and verbs were also used to realize these metaphors. The most common of these metaphors were of the type, MORE IS UP and LESS IS DOWN. Some examples of MUWs are related to Orientational metaphors found in the present study along with their frequencies are given in Table 5.30 below.

**Table 5.20**

*MUWs Related to Orientational Metaphors in the COLD*

| <b>Orientation type</b> | <b>Positive evaluation</b> | <b>Negative evaluation</b> |
|-------------------------|----------------------------|----------------------------|
| Up/ Down Orientation    | high (1013)                | under (2102)               |
|                         | above (629)                | fall (230)                 |
|                         | supreme (425)              | subjected (217)            |
|                         | arise (166)                | below (145)                |
|                         | over (160)                 | down (110)                 |
|                         | superior(141)              | lower (40)                 |
|                         | up (81)                    | inferior (30)              |
|                         | rise (32)                  | fallout (10)               |
|                         | emerge (20)                | deep (16)                  |

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|                    |                |                 |
|--------------------|----------------|-----------------|
|                    | culminate (17) | abysmal (4)     |
|                    | paramount(9)   | degrading (4)   |
|                    | top (9)        | drop (4)        |
|                    | elevate (8)    | bottom (3)      |
|                    | supremacy (8)  | rock-bottom (3) |
|                    | upright (5)    | profound (2)    |
|                    | apex (5)       | downgrade (2)   |
|                    | super (4)      | descend (1)     |
|                    | heightened (3) |                 |
|                    | lift (3)       |                 |
|                    | mounted (3)    |                 |
|                    | rung(3)        |                 |
|                    | exalted (2)    |                 |
|                    | peak (1)       |                 |
|                    | boost (1)      |                 |
|                    | ascendency (1) |                 |
|                    | soared (1)     |                 |
|                    | upcoming (1)   |                 |
|                    | uplift (1)     |                 |
|                    | between (308)  |                 |
|                    | towards (68)   |                 |
|                    | central (23)   |                 |
|                    | core (17)      |                 |
|                    | pith (17)      |                 |
|                    | near (8)       |                 |
|                    | crux (8)       |                 |
|                    | centre (7)     |                 |
|                    | beside (6)     |                 |
|                    | pivotal (4)    |                 |
|                    | middle (1)     |                 |
|                    | nucleus (1)    |                 |
| Centre/ Peripheral | between (308)  | away (58)       |
| Orientation        | towards (68)   | collateral (28) |

|             |              |   |
|-------------|--------------|---|
|             | central (23) | around (22)                               |
|             | core (17)    | surrounding (15)                          |
|             | pith (17)    | peripheral (1)                            |
|             | near (8)     |   |
|             | crux (8)     |   |
|             | centre (7)   |   |
|             | beside (6)   |   |
|             | pivotal (4)  |   |
|             | middle (1)   |   |
|             | nucleus (1)  |   |
| Front-Back  | before (824) | after (581)                               |
| Orientation | front (12)   | behind (72),<br>back (34)<br>backward (3) |

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In the vertical orientation on the positive evaluation side, the highest and most prominent metaphorical expressions are related to the adjective *high* with 1013 tokens in this corpus. Most of the occurrences were however associated with the occurrence of this word as part of the proper name in *High Court*. There were 914 instances of its use in this way, out of the total of 1013 occurrences. Nevertheless, its use as part of the proper name is not different from its use in other metaphoric examples. The word *high* is used to denote importance or more control as embodied in the conceptual metaphor MORE POWER/ CONTROL/ IMPORTANCE IS UP. High Courts in the judicial system of Pakistan are hierarchically, the top courts at provincial levels and are second only to the Supreme Court of Pakistan. So, the word *high* for these types of courts in the legal discourse is in accordance with the conceptual metaphors like HIGH STATUS IS UP; LOW STATUS IS DOWN AND HAVING CONTROL/ MORE POWER IS UP; while BEING SUBJECT TO CONTROL OR FORCE IS DOWN (Lakoff & Johnson, 2003). Similarly, the court having jurisdiction over all other courts and having the highest power in the country is named as the Supreme Court of Pakistan in the same fashion which literally means the ‘highest’ or ‘topmost’ court in the country as per the definition of ‘*supreme*’ in the Shorter Oxford Dictionary. Following this pattern, it is not surprising, to find expressions like *lower* and *inferior* courts for courts having lesser jurisdiction or having lesser control than the Supreme Court or the High Courts.

Similarly, metaphoric expressions like *top*, *apex* or *superior* courts/judiciary are used for the Supreme Court/High Courts to refer to their jurisdiction and power or control.

On the negative evaluation side, *under* was found as the most frequent MUW of the orientational metaphor type in COLD. Predominantly all the occurrences of the word (2102) in the Corpus are used to linguistically realize the conceptual metaphor LOW STATUS IS DOWN; BEING SUBJECT TO CONTROL OR FORCE IS DOWN. The word is predominantly used in expressions like *under the article*, *under the constitution*, *under the law*, *under the rule*, *under the act*, *under the agreement*, *under jurisdiction*, *under the ordinance*, etc., to establish that constitution/law/rule/ jurisdiction/ act etc., are more powerful and have more control and entities like individuals, government officials, organizations etc., have to abide by them, being subject to their control. The concept is even further strengthened by a saying of an ex-Chief Justice of England, Sir Edward Coke (1616) referring to the powers of King James I, which is quoted by the judges in some judgements in the present corpus which says, "Howsoever high you may be; the law is above you".

Other related words to *up/down* orientation like *top*, *peak*, *ascend*, *super*, *soar*, *exalted*, *lift* etc., on the positive evaluation side and their opposites like *bottom*, *descend*, *fall*, *abysmal*, *profound drop*, *subjected* etc., on the negative evaluation side provide further linguistic evidence for the conceptual metaphors mentioned by Lakoff and Johnson (2003) that include; MORE/ CONTROL/ GOOD/VIRTUE IS UP; LESS/ NO CONTROL/ BAD/ DEPRAVITY IS DOWN and BETTER RANK IS HIGHER ON LIST as shown in KWIC Concordance 5.31 below.

### **KWIC Concordance 5.31**

#### *Oriental Metaphors of Vertical Orientation Type*

1. Mr. Justice XXX was *elevated* as the Chief Justice of the XXX High Court. {46const.p}
2. Our Constitution *exalts* the right to privacy. {46const.p}
3. Teachers... play a pivotal role in nation-building by imparting education which is necessary to *uplift* a society. {1c.a}
4. His case makes us think, whether we want our future generations to *descend* into a dystopia or grow *up* into a vibrant democracy. {42const.p}
5. The Appellant has *abysmally* failed to provide these details. {49c.a}

Another related orientational conceptual metaphor mentioned by Lakoff et al. (1991) i.e., EXISTENCE IS LOCATION UP HERE/ EXISTENCE IS LOCATION OUT OF CONTAINER is realized by many linguistic expressions as shown in KWIC Concordance 5.32.

### **KWIC Concordance 5.32**

#### *Oriental Metaphors- Vertical Orientation*

1. Two crucial points **emerge** from the above-quoted passage: {46const.p}
2. The facts of the present appeals giving **rise** to the issue at hand are ... {112crl.a}
3. The legal question **arising** for determination in this appeal is whether under {119c.a.}
4. ...by 20.5.2019, this **culminates** in the purported Reference. {43const.p}
5. ...play a pivotal role in nation building by imparting education which is necessary to **uplift** a society {1c.a.txt}

The conceptual metaphor IMPORTANT IS CENTRAL (Lakoff *et al.*, 1991) of the orientational metaphor of central-peripheral type is realized linguistically by many metaphoric expressions found in the COLD. Some of the examples of these types of metaphors from the corpus are given in KWIC Concordance 5.33.

### **KWIC Concordance 5.33**

#### *Oriental Metaphors – Central/Peripheral Orientation*

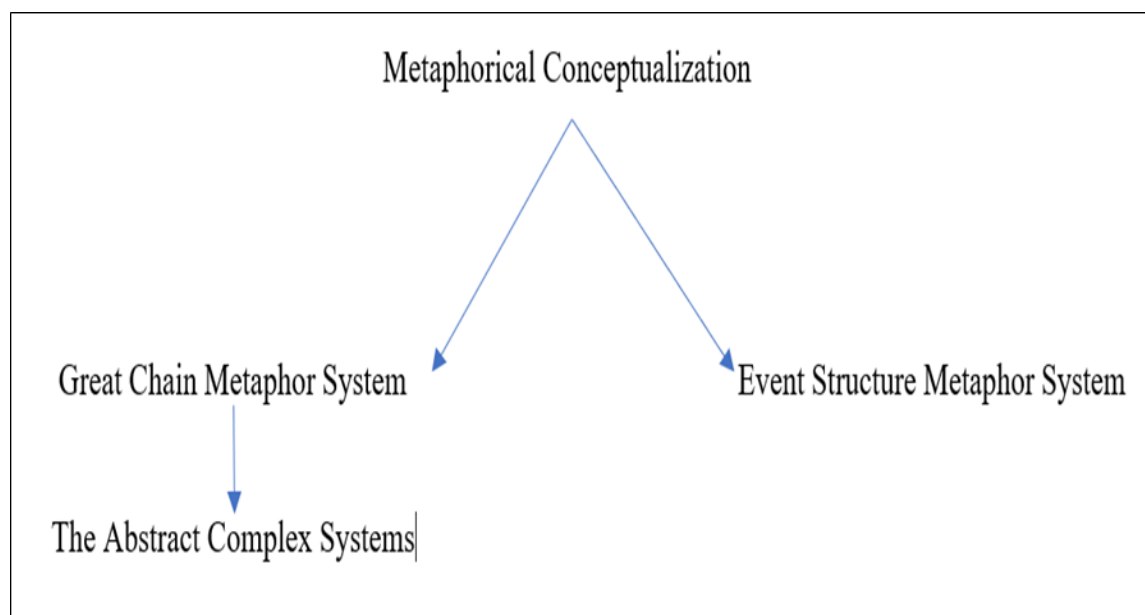
1. The President has been replaced as the **central** figure of the State by the PM. {46const.p}
2. Truth is the foundation of justice and justice is the **core** and bedrock of a civilized society. {135Crl.M.A}
3. The petitioner stayed **away** from the law, however, was finally arrested. {50crl.p}
4. Reference has been made only **peripherally** and **collaterally** while challenging the Referendum order. {46const.p}
5. This element of the offence of terrorism has been treated as the **pivotal** criterion for ascertaining the jurisdiction of a learned ATC. {112crl.a}

#### 5.4 Event Structure Metaphors and Abstract Complex System Metaphors

Apart from the types of metaphors discussed in Section 5.3, Kövecses (2010) has described another categorization for metaphors. He wanted to explore the possibility of the existence of a larger systematic grouping of related metaphoric linguistic expressions that may form a system of conceptual metaphors as he wanted to see whether these conceptual metaphors can be grouped further into some larger systems. Getting ideas from Lakoff and Turner (1989) and Lakoff (1990 & 1993), he identified two major groups of metaphor systems, one dealing with *things* and the other with *relations* that also include *events* and *changes*. He argues that a dominant proportion of metaphors present in English can be categorized into these two large systems as shown in Figure 5.2.

**Figure 5.2**

*Great Chain of Being and Event Structure Metaphors (Kövecses 2010)*



Kövecses says that even apparently unrelated metaphors can be grouped into coherently organized larger groups that he calls metaphor systems. The first of these groups, i.e., Event Structure Metaphor was earlier suggested by Lakoff (1990 and 1993) and deals with how *events* or *relations* are comprehended metaphorically. The idea for the second category was previously suggested by Lakoff and Turner (1989) and was named by them as the Great Chain of Being metaphors which deal with how *objects* or *things* are conceptualized metaphorically. In the Event Structure metaphor system, relations and events and their aspects are understood metaphorically as *location*, *force*, and *motion*, whereas in the



Great Chain of Being metaphors, especially in its subsystem of Abstract Complex system, abstract complex systems are comprehended in terms of the *human body, buildings, machines, and plants*. Kövecses (2010) further elaborates on these two systems. These two types have been discussed in detail in the following sections within the scope of the present study and examples from the COLD.

#### 5.4.1 Event Structure Metaphors

Lakoff (1990 & 1993) proposed the concept of Event Structure Metaphor to explain the metaphorical understanding of a large variety of metaphors related to various aspects of event structure including *states, processes, changes, causes, actions process, the purpose of actions* and *means* and found that these abstract concepts are understood through metaphor from source domains of *space, motion and force*. Kövecses (2010) further elaborates on the concept and says that many metaphors from the above domains mentioned by Lakoff (1990) are apparently unrelated to each other, but in fact, they have one thing in common in that they are related to different aspects of *event* which is the superordinate concept and *states, processes, changes, causes, actions process, and purpose of actions* are its constituent aspects. These abstract aspects are conceptualized in terms of *physical space, force and motion*. While analyzing types of metaphors in the present corpus, it was found that the examples of metaphors in the COLD validate the claims of Lakoff (1990 & 1993) and Kövecses (2010) as these metaphors conform to various conceptual mapping identified by them. To further investigate, the present analysis studied mappings for these conceptual metaphors from Lakoff (1990 & 1993) and especially Kövecses (2010) who has identified eight mappings related to Event Structure. Examples extracted from the COLD for these mappings in the target domains of law as shown in the following instances of Event Structure Metaphors substantiate their claims with thousands of linguistic evidence found in the COLD.

**STATES ARE LOCATIONS** (bounded regions in space).

#### KWIC Concordance 5.34

*Event Structure Metaphor- STATES ARE LOCATIONS*

1. The transfer of suit land by the mother of the plaintiff-respondent in favour of predecessors of defendants Nos, 1 & 2 was *in the knowledge* of the plaintiff from the day first. 17c.a.txt { 17c.a.txt }

2. The leather was then manufactured into handbags by the seller and he went **into insolvency**. {11c.p }
3. We do not find ourselves **in agreement** with the fact that the interest of the sugarcane growers is one of an unsecured creditor. { 11c.p }
4. In cases where the company goes **into liquidation** and the unpaid seller's goods are pledged, the right of the unpaid seller, being that of an unsecured creditor when they do not hold an SFC, would give way to the secured creditor. {11c.p.}
5. Like all other principles of construction, it is to be used only as an instrumentality for determining the intent of the Legislature where it is **in doubt**. { 46const.p }

### CHANGES ARE MOVEMENTS (Kövecses, 2010)

#### KWIC Concordance 5.35

##### *Event Structure Metaphor- CHANGES ARE MOVEMENTS*

1. To **turn** the Cabinet **into** such a rubber stamp in pursuit of decision-making by the Prime Minister to the exclusion of his Cabinet would violate the letter and spirit of the Constitution. { 43const.p }
2. "Because of the frequent difficulty of obtaining other evidence and because of the lack of reason to doubt many statements children make on sexual abuse to others, courts in the United States have **moved toward** relaxing the requirements of admissibility for such statements. { 94crl.a }

### CAUSES ARE FORCES

#### KWIC Concordance 5.36

##### *Event Structure Metaphor- CAUSES ARE FORCES*

1. Terrorism\*\*\* involves serious coercion or intimidation of a public servant in order to **force** him to discharge or refrain from discharging his lawful duties. { 112crl.a }
2. Due care and caution shall have to be observed by the Courts so that ordinary crimes might not be **pushed** to the grey area of terrorism or terrorist activities to be dealt with under the law. { 112crl.a }
3. The order tends to **stretch** the scope of SJC beyond its jurisdiction. {43const.p }

4. The matter was still ***pushed ahead*** with the collateral purpose of defiling the honour of the Petitioner Judge and with the design to ***pressurize*** him into resignation or lead to his removal. {42const.p}
5. What ***prevailed*** upon the High Court to decide so was explained in para-11 of its judgment in terms that...{ 63crl.p }

## **ACTIONS ARE SELF-PROPELLED MOVEMENTS**

### **KWIC Concordance 5.37**

#### *Event Structure Metaphor- ACTIONS ARE SELF-PROPELLED MOVEMENTS*

1. Such a judicial ***leap*** in the dark is also known as "judicial adventurism" or "judicial imperialism." { 28c.p }
2. The Anti-Terrorism Act, 1997 was a major ***step*** forward in Pakistan's quest for dealing with the menace of terrorism. { 112crl.a }
3. The Law Minister gives a "***go ahead***" to the ARU in an informal discussion, without realizing the importance of his advice... {42const.p }
4. They despite having ample authority to legally ***proceed*** against her under the Ordinance, opted to ***proceed*** unlawfully. { 46const.p }
5. The respondents voluntarily ***came forward to*** settle the matter by offering VR under section 25(a) of the Ordinance... {88c.a.}

## **PURPOSES ARE DESTINATIONS**

### **KWIC Concordance 5.38**

#### *Event Structure Metaphor - PURPOSES ARE DESTINATIONS*

1. However, before parting with the judgement, I record appreciation for the commendable research carried out in an instant matter, \*\*\*\* which immensely facilitated me to ***arrive at*** a conclusion recorded in my opinion. {11c.p }
2. The Principles of Policy 9 (the principles) set out in the Constitution is the path, and the ***destination***, that the nation has set for itself. { 60c.p }
3. While ***reaching*** this decision, we have been conscious of Article 14(1) of the Constitution produced herein below: { 46const.p }

4. In the CJP case (supra) this Court quashed the reference against the (then) Chief Justice XXX and brought the matter *to an end* without further action on the information contained in the reference against him. { 46const.p }
5. For a Judge to do complete justice and to *get to* the truth in a criminal case, he needs ... {135Crl.M.A}

#### **MEANS ARE PATHS** (to destinations)

#### **KWIC Concordance 5.39**

##### *Event Structure Metaphor -MEANS ARE PATHS*

1. The new definition of “terrorism” introduced *through* the amended section 6 of the Anti-Terrorism Act, 1997...{112crl.a }
2. A judge is to always tread the *path* of the Constitution and the law. {42const.p }
3. Rather than allowing the disturbing allegation against the petitioner \*\*\*\*\*, we adopted the fair, impartial and transparent *route* of allowing XXX to disclose the source of their funds to the relevant authorities. {46const.p }
4. The purpose and object of the ARU, he urged, was to recover unlawful assets abroad which may have been created *via* funds obtained through money laundering, corruption or tax evasion. {46const.p }
5. The said order was challenged by the petitioner before the Peshawar High Court *by way of* a constitutional petition which was dismissed. {96c.p }

#### **DIFFICULTIES ARE IMPEDIMENTS TO MOTION**

#### **KWIC Concordance 5.40**

##### *Event Structure Metaphor -DIFFICULTIES ARE IMPEDIMENTS TO MOTION*

1. In numerous cases in Pakistan, it has been held that there is no legal *impediment in the way* of the court or tribunal to decide its own jurisdiction. { 8c.a.txt }
2. He has the power to sell, alienate and dispose of such properties without any legal or procedural *restriction, hitch or hindrance in his way*. {122c.a }
3. In this case, the discretionary executive powers have already been *fettered* by the Constitution. {46const.p }
4. We note that there is a distinct difference between simply making false evidence (section 191 PPC), or even fabricating false evidence (section 192 PPC), and

*obstructing* justice by causing the disappearance of evidence or giving false information to screen the accused (section 201). {94crl.a }

5. While the banks have their right protected as a secured creditor, instances where their right has been *circumvented* by the operation of statutory provisions are not entirely novel. { 11c.p }

## **EXTERNAL EVENTS ARE LARGE, MOVING OBJECTS**

### **KWIC Concordance 5.41**

*Event Structure Metaphor- EXTERNAL EVENTS ARE LARGE, MOVING OBJECTS'*

1. Learned counsel for the petitioner contends that notwithstanding the *flux* of time, a permanent security arrangement as proposed by the petitioner is required to ensure peace and tranquility during the month of Moharram-ul-Haram. { 55c.p }
2. The said obscurity has, unfortunately, *gone a long way* in distorting the criminal jurisprudence in the country. { 135Crl.M.A }
3. With the *advancement* of science and technology, it is now possible to get a forensic examination, audit or test conducted through an appropriate laboratory so as to get it ascertained as to whether an audio tape or a video is genuine or not. { 123const.p }

## **LONG-TERM, PURPOSEFUL ACTIVITIES ARE JOURNEYS**

### **KWIC Concordance 5.42**

*Event Structure Metaphor - LONG TERM, PURPOSEFUL ACTIVITIES ARE JOURNEYS*

1. The Supreme Judicial Council is to consider whether such a report contains sufficient information so as to *embark* upon an inquiry as envisaged under Article 209(5). {46const.p }
2. Before we *proceed* further, it may be noted that the State did have a remedy to seek enhancement of the sentence ... by filing a petition of leave before this Court under clause 3 of Article 185 of the Constitution. {94crl.a }

In addition to the above mapping by Lakoff (1993), Kövecses (2010) has identified some additional mappings for the journey metaphors, some of which have been discussed below.

## LACK OF CONTROL OVER CHANGE IS A LACK OF CONTROL OVER MOVEMENT

### KWIC Concordance 5.43

*Event Structure Metaphor- LACK OF CONTROL OVER CHANGE IS LACK OF CONTROL OVER MOVEMENT*

1. He finally argues that the High Court *fell into error* in setting aside the detailed and well-reasoned judgments of the trial Court as well as the Appellate Court Both these facts went unnoticed by the President. {5c.p.}
2. The bull *goes wild* with fear and anger and destroys the china shop. This is what happened after 9/11, as Islamic fundamentalists incited the American bull to destroy the Middle Eastern china shop. { 112crl.a }

## CAREFUL ACTION IS CAREFUL MOTION

### KWIC Concordance 5.44

*Event Structure Metaphor - CAREFUL ACTION IS CAREFUL MOTION*

1. We should endeavour to *avoid taking any such step* which goes against the spirit and intent of the Constitution. {46const.p }
2. The institutions of the State have *to walk the tightrope* of checks and balances while operating in their designated spheres outlined clearly in the Constitution. { 42const.p }
3. In case, a sitting Judge having no other possible alternative enters into litigation, he has to *tread very carefully* and remain "cautious and forbearing". { 46const.p }
4. The request for withdrawal was made after decades before the revisional Court which appears to be an attempt on the part of the Respondents to *retrace their steps*, plug gaps and loopholes in evidence and take a second shot at the relief that two Courts of fact had denied. {5c.p.}

## PROGRESS IS MOTION FORWARD

### KWIC Concordance 5.45

*Event Structure Metaphor - PROGRESS IS MOTION FORWARD*

1. Before we *proceed further*, it may be noted that the State did have a remedy to seek enhancement of the sentence passed by the Single Bench of the High Court

by filing a petition of leave before this Court under clause 3 of Article 185 of the Constitution. {94crl.a}

2. I may observe with hope and optimism that framing a law by the Parliament regulating the terms and conditions of the office of Chief of the Army Staff may **go a long way** in rectifying multiple historical wrongs and in asserting the sovereign authority of the chosen representatives of the people. {106const.p}

#### 5.4.2 Abstract Complex System Metaphors

The second metaphor system i.e., Abstract Complex System metaphors mentioned by Kövecses (2010) is based on Lakoff and Turner's (1989) the Great Chain Metaphor system and has been labelled as its subsystem, dealing with the metaphorical conceptualization of 'things' or 'objects'. The Great Chain represents a hierarchy of entities (things), starting with humans at the top and then followed by animals, plants, complex objects and natural physical things. The Great Chain, according to Kövecses (2010), is itself part of the Extended Great Chain mentioned by Lakoff and Turner, (1989) where God is at the top of the hierarchy, followed by the universe (cosmos), society, humans and animals in a hierarchical order. Members in the Great Chain hierarchy are characterized by their typical attributes and behaviour that are conventionally associated with them, e.g., rational thought is conventionally associated with humans, instinct associated with animals, biological properties with plants and physical properties with physical things etc. According to Kövecses (2010), in this system, generally animate things (or things at the top of the hierarchy) are comprehended in terms of inanimate things (things at the bottom of the hierarchy) but the reverse is also possible, though not common. One subsystem of this great chain metaphor is The Abstract Complex Systems Metaphor where abstract complex systems like *society, mind, social organizations* etc., (above the level of humans) are understood in terms of the concrete concepts below in the hierarchy like *the human body, buildings, machines, and plants*. It is called an Abstract Complex System because both the source domains and the target domains are complex. Kövecses (2010) says that the major features of these complex systems in which we are interested are their *function, stability, development, and condition of the system* which are metaphorically highlighted by corresponding four source domains including *machines, buildings, plants, and the human body*, respectively. This way, *the function* is associated with ***machines***, *stability* with ***buildings***, *development* with ***plants*** and *condition of the system* with ***the human body***. In the context of the present

study, the institution of law or the legal system (being a social organization, or part of society) may be included in the category of complex social organizations. Thus, we may apply the concept of Complex System metaphors to metaphors coming from the source domain of *humans, machines, buildings and plants* for the target domain of law as per Kövecses (1995a & 2010) elaboration in the following ways:

#### 5.4.2.1 ABSTRACT COMPLEX SYSTEM (Legal System) IS THE HUMAN BODY

In COLD, there are thousands of MUWs from the source domains of humans that conceptualize law (Abstract Complex System) as humans particularly. Among them, 1681 MUWs are related to the human body and its functions as shown in selected examples from the corpus in KWIC Concordance 5.46.

#### KWIC Concordance 5.46

##### Abstract Complex System (Legal System) IS THE HUMAN BODY

1. Their brainwash is made in a planned manner so that, while committing gruesome and *sickening* crimes, they have to act in a cruel manner. { 112crl.a }
2. He has rightly pointed out that the term "operating" includes both *healthy* and *unhealthy* operations of a political party. { 12const.p }
3. Reluctance by the public to stand in aid of law is *symptomatic* of abysmal civic apathy which cannot be allowed to be used as an escape route from justice. { 62crl.p }
4. It is by now well-settled that SJC is a unique (and the only) *body* which can examine the conduct of a Superior Court Judge and decide whether the said Judge is fit to complete his tenure. { 46const.p }
5. The second *limb* of judicial independence is the institutional environment in which the judge operates. { 42const.p }
6. Accountability of Judges is and shall remain the essential *lifeblood* for a democratically vibrant society. { 46const.p }

Kövecses (2010) points out that the main foci of this metaphor are two. Firstly, it conceptualizes the appropriateness of the condition for its working and secondly, it conceptualizes the structure of an abstract system. The first three examples in the KWIC



Concordance 5.41 above deal with the first focus i.e., the appropriateness of the condition for the working of law as expressed through healthy or unhealthy conditions. The last three examples in the above concordance deal with the structure of the abstract complex system which is conceptualized through the structure of the human body.

#### 5.4.2.2 ABSTRACT COMPLEX SYSTEM (Legal System) IS A BUILDING

In the present corpus, there are more than a thousand tokens from the domain of building that conceptualize law and its related concepts as building. Kövecses (2010) says that the main focus of such type of mapping is the creation of a stronger, stable, long-lasting and well-structured complex system (in the present case legal system) and is expressed through three aspects of building i.e., *constructing, structure and strength*. The present corpus provides numerous linguistic examples for the claims of Kövecses (2010) where the above themes are expressed through simple metaphors like creating an abstract complex system (of law) as a building, the structure of law as the physical structure of a building, and a lasting legal system as a strong building. Examples from the corpus shown in KWIC Concordance 5.47 highlight these metaphoric mappings.

#### KWIC Concordance 5.47

##### *ABSTRACT COMPLEX SYSTEM (Legal System) IS BUILDING*

1. Sending the alleged drugs for re-testing would be giving another chance to the prosecution to **build** its case, which is not the role or business of the court. {131crl.a }
2. Although no objection has been raised by the learned counsel for the respondents in this regard, it is still the bounden duty of this Court to **establish** the requisite jurisdictional facts under Article 184(3) regardless of whether the said point has been agitated or not. { 46const.p}
3. The Council is **structured** under the Constitution to exercise its *Suo motu* powers independent of any extraneous influence. { 42const.p}
4. **Foundations** of judicial institutions stand on public confidence and public trust that lend them legitimacy and public acceptance. { 42const.p}

5. Combined reading of these Articles shows that they have weaved the very fabric of the local government system and Article 17 *ibid* has provided the **bedrock** on which the local government system stands or rests. {12const.p}
6. The judiciary stands between the citizen and the State as a bulwark against executive excesses and misuse or abuse of power by the executive. { 43const.p}

#### 5.4.2.3 ABSTRACT COMPLEX SYSTEMS (Legal System) IS A MACHINE

In the COLD, there are hundreds of examples of metaphorical mapping from the source domain of machines to conceptualize Abstract Complex system, especially law and its related concepts. Kövecses (2010) points out that metaphors from the domain of machines mainly focus on the functioning and operation aspect of the abstract complex system. The smooth functioning of abstract complex system is the smooth functioning of machines while problems in the abstract system are defects in machines. As we have fairly good knowledge about conventional machines as compared to modern machines like computers, they provide a rich source for metaphoric conceptualization (Kövecses, 2010). Hundreds of tokens found in the present corpus validate the claim of Kövecses (2010) and provide linguistic manifestations for the conceptual metaphor as shown in KWIC Concordance 5.48.

#### KWIC Concordance 5.48

##### ABSTRACT COMPLEX SYSTEM (LAW) IS A MACHINE

1. The process of the Council is **set in motion** when "information from any source" against a constitutional court judge reaches the President or the Council. {42const.p}
2. The interest of this country can only be secured and served when the executive and judicial **machinery**, while **performing** their **functions** and exercising their duties adhere to the law. {59c.p.}
3. This would have a far-reaching effect as it would **dismantle** the independence and neutrality of the Council and the constitutional scheme ... {42const.p }
4. The international tribunal is no longer an arbitral tribunal [...] but is an institution which has been pre-established by an international **instrument** defining its jurisdiction and **regulating** its **operation**. {8c.a.txt}

5. It is the above role, functions and obligations of the judiciary that cause *friction* and give rise to tension between the executive and the judiciary. {43const.p }
6. There is no independence of the judiciary if there is no effective *mechanism* for its accountability. { 46const.p }

#### 5.4.2.4 ABSTRACT COMPLEX SYSTEM (LAW) IS PLANT

Numerous metaphors from the source domain of plants are present in the corpus, although, this domain is the least frequent of the four Abstract Complex Systems mentioned by Kövecses (2010). Nevertheless, many of the instances of these metaphors found in the study validate the claim of Abstract Complex System. According to Kövecses (2010), metaphors from the domain of plants focus on the theme of the *development* of the abstract complex system. The natural growth of plants is projected on these abstract concepts to give birth to the metaphoric mapping that abstract development is natural physical growth while problems in the development in the Abstract Complex system are impediments to the growth of plants. The use of the metaphor, though less in frequency, is very significant as it describes law as a living entity that is capable of growing and evolving. Some examples from COLD in KWIC Concordance 5.49 highlight these aspects of the metaphor.

#### KWIC Concordance 5.49

##### *ABSTRACT COMPLEX SYSTEM (Legal System) IS A PLANT*

7. The legislative policy of organized and planned *growth*, under the Ordinance, also synchronizes well with our constitutional values, set out in the preamble of the Constitution... { 25c.p.txt }
8. Grant of pre-arrest bail is an extraordinary remedy, essentially *rooted* in equity, a judicial power to be cautiously exercised with a view to protect the innocent from the horrors of abuse of the process of law. { 108c.p }
9. However, there is a divergence of opinion witnessed in the judicial pronouncements *germinating* from the United States of America, which I, with great respect, do not subscribe to. {46const.p }
10. This principle *stems* from a general rule that the burden of proof in a criminal case is on the prosecution to establish the guilt of an accused... {59c.p.}

1. Corporal consequences of a conviction *wither away* with the death of the convict, therefore appeal filed by the convict would automatically abate, as the death severs all temporal links with his corpus. {93crl.p }
  
11. Thus, the legislature may let the field lie "*fallow*" for years, even decades (i.e., not take a law in relation thereto at all); it may "*till*" (and go on "tilling") only this or that part of the field (i.e., exercise its legislative power only in part); { 22c.a.txt }

The above examples show that complex systems are conceptualized in terms of four complex metaphors from the source domain of *humans*, *buildings*, *machines* and *plants* based on their characteristic features. According to Kövecses (2010), there are further simple metaphors which make the basis of these four complex metaphors, (some of which have been discussed in the above discussion) and says that they express the human concern about abstract complex system related to the appropriate conditions for the working of the system, the strength of its structure and its durability, its effective functioning and its growth as per required standards.

Kövecses (1995a) also highlights another aspect of the Abstract Complex system that many source domains, such as *building*, *container*, *machine*, and *journey* are not concept-specific i.e., they are not limited to conceptualize a single target domain as these domains are used to conceptualize several target domains; for example, *buildings* can be used as source domains for several target domains like *love*, *theories*, *arguments* and especially in the context of the present study for *law* as was seen from thousands of tokens in the corpus. These source domains are used for projecting several different target domains to highlight a particular aspect of the target domain relevant to it.

Kövecses (2010) claims that Event Structure metaphors and the Great Chain metaphors account for a major part of metaphors in the English language. In some cases, there can be an overlap between the two systems to project the same target concept. This aspect of Kövecses' (2010) claim is manifestly visible in the present study, where the target domain of *law* is conceptualized in terms of both the Event Structure Metaphor system and Great Chain Metaphor system as seen from examples of metaphors from both systems in the above discussion which highlights the fact mentioned by Kövecses (2010) that some target concepts can be conceptualized metaphorically as both '*events*' and '*things*', depending upon which aspect of the target concept is being focused in a particular situation. As discussed

earlier, the present analysis of legal discourse in Pakistan provides thousands of examples as linguistic realizations for the claims of Kövecses (2010) about the Event Structure Metaphor system and the Great Chain Metaphor system (and its sub-system of the Abstract Complex System) to validate his point of view from the dimension of legal discourse.

### **5.5 Answer to Research Question 3: How do metaphors employed in the Pakistani legal discourse throw light on their role in court judgements and orders?**

The third research question of this study was related to the role of metaphors in the selected legal discourse. The pervasiveness of metaphor was established through identification and analysis of the discourse as discussed in detail in previous sections. It was observed that 13.60 % of the lexical units in the corpus are metaphoric. It was also noted that, using Steen et al (2010) estimation, on average, at least, one metaphoric expression is present in almost every independent clause of the selected legal discourse. Their distribution in word classes and their types were also explored in the light of Research Question 2. In this section, the role of these metaphors in the selected discourse will be discussed. This discussion has been arranged into three parts based on the three dominant roles identified being played by metaphor in the discourse. These are communicative, persuasive and ideological roles. A detailed discussion will be carried out in the subsequent sections.

#### **5.5.1 Communicative Role of Metaphor**

The traditional view of metaphor, what Richards (1936) calls ‘the reductionist view’, downplayed the role of metaphor to stylistic purpose only; however, contemporary linguists have highlighted the vital role of metaphor in shaping our thought and language. Lakoff and Johnson (1980; 2003) have elaborated on the important role played by metaphor in human understanding and have asserted that familiar conceptual domains like war, motion and spatial relation are used to organize how to reason about relatively abstract and unfamiliar or complex domains like time, arguments etc., (Thibodeau et al., 2019). One of the most important functions is its role in communication, i.e., assisting language users in presenting many difficult concepts in simple terms, especially for the general users of language or filling the semantic gap in cases where no words are available to describe a concept.

Dalton (2021, p.2), while commenting on the communicative power of metaphor, writes “the usefulness of metaphor to the practitioner is always as conduit to new ways of seeing a situation where conventional or literal thinking has failed to have an impact” and

further says that “metaphor involves discovering isomorphic patterns between normally unrelated concepts”. Metaphor is believed to help in presenting less familiar concepts economically and efficiently through compactness, inexpressibility (through filling the lexical gaps) and vividness features of metaphor (Ortony, 1975). Similarly, Ebbesson (2012), commenting on its role in communication in legal argumentation, argues that it serves as a bridge between the semiotic and the material, leading to a new conceptualization of immanent, embodied and spatially embedded justice. Steen (2008) also highlights the communicative role of metaphor in language, especially through using deliberate metaphors.

If we look at the findings from our present study, we find that many abstract concepts related to law have been presented metaphorically through cross-domain mapping from concrete and familiar concepts to abstract concepts in legal language like *law, justice, rights, constitution, acts* etc. According to Ortony (1975), through metaphor, readers are enabled to understand complex ideas by rendering them qualities of familiar or simple objects. Table 5.21 highlights some examples of metaphoric expressions from COLD, related to concepts from law. These examples show how abstract and unfamiliar legal concepts have been rendered into concrete, familiar or more clearly delineated concepts through metaphorical mapping from familiar concepts of daily life drawing from physical objects, humans, journeys, buildings, machines, religion and many other domains discussed earlier in 5.3.1 in detail. These metaphoric expressions help in communicating the unfamiliar concepts of law in a familiar language to the common users of the language.

**Table 5.21**

*Metaphoric expressions related to concepts from law*

| Concept    | Metaphoric expression   |
|------------|---|
| <b>Law</b> | the <i>eyes</i> of law, the <i>rule</i> of law, <i>subject</i> to law, <i>power</i> of law, <i>under</i> the law, law <i>laid down</i> , the <i>remit</i> of law, <i>advice</i> of the law, the <i>protection</i> of law, <i>absence</i> of the law, <i>regulated</i> by law, a <i>settled</i> law, <i>process</i> of law, <i>provision</i> of law, <i>substitute</i> of the law, the <i>gap</i> between law, <i>view</i> of the law, in the <i>existing</i> law, <i>intention</i> of the law, <i>law</i> is growing day by day |

| Concept             | Metaphoric expression   |
|---------------------|---|
| <b>Justice</b>      | the <i>scales</i> of justice, the <i>way</i> of justice, <i>administration</i> of criminal justice, the <i>ends</i> of justice, the <i>interest</i> of justice, of <i>miscarriage</i> of justice, right to <i>access</i> justice, to do <i>complete</i> justice, justice <i>system</i> , <i>failure</i> of justice, to <i>dispense</i> justice, the <i>interests</i> of justice, the <i>process</i> of justice, |
| <b>Rights</b>       | <i>protect</i> the rights, <i>violation</i> of the right, <i>breach</i> of constitutional rights, the <i>inalienable</i> right, <i>attract</i> fundamental right, a <i>precious</i> right, is a <i>substantive</i> right, <i>abridges</i> the rights, <i>under</i> the right, to <i>close</i> the right, well <i>within</i> its right   |
| <b>Offence</b>      | <i>constitute</i> the offence, offence <i>falling</i> in section, offence <i>landing</i> in, offences have no <i>nexus</i> , action <i>constituting</i> an offence, <i>attracted</i> an offence, <i>gravity</i> of an offence, just a <i>grave</i> offence, special <i>handling</i> of offences, the <i>scope</i> of offences   |
| <b>Crime</b>        | <i>proceeds</i> of crime, <i>scene</i> of the crime, <i>victim</i> of the crime, <i>contents</i> of the crime, crime <i>established</i> , crime <i>leading</i> to, <i>arising</i> out of crime, <i>grey</i> category of crimes, <i>sickening</i> crimes, <i>abetted</i> the crime, <i>ingredient</i> of every crime, <i>souvenir</i> of his crime, <i>trophy</i> of his crime                                   |
| <b>Constitution</b> | <i>framers</i> of the constitution, power <i>under</i> the constitution, <i>structure</i> of the constitution, constitutional and legal <i>fold</i> , <i>enshrined</i> in the constitution, <i>envisaged</i> by the constitution, a <i>living</i> constitution, <i>breach</i> of constitution, <i>intent</i> of the constitution, constitutional <i>framework</i> , <i>values</i> of the constitution           |
| <b>Charge</b>       | <i>framing</i> of the charge, a <i>trump</i> up charge, <i>held</i> the charge, <i>constituted</i> a charge, <i>fabricate</i> a fake charge, <i>extinguish</i> a charge, <i>tremor</i> the charge,  |
| <b>Testimony</b>    | <i>withhold</i> testimony, <i>weight</i> of testimony, <i>value</i> of testimony, <i>distort</i> the testimony, <i>give</i> testimony   |

| Concept             | Metaphoric expression   |
|---------------------|---|
| <b>Evidence</b>     | <i>clear</i> evidence, <i>accept</i> evidence, <i>take</i> evidence, <i>shape</i> evidence, <i>loophole</i> in the evidence, <i>piece</i> of evidence, <i>produce</i> evidence, <i>quashed</i> evidence, <i>establish</i> evidence, <i>weight</i> of the evidence, <i>basis</i> of the evidence, <i>create</i> evidence, <i>fabricate</i> evidence, <i>taint</i> evidence, <i>crux</i> of the evidence, <i>strength</i> of the evidence, <i>valuable</i> evidence   |
| <b>Sentence</b>     | <i>Reduce</i> sentence, <i>set aside</i> the sentence, <i>hand down</i> sentence, <i>serve</i> the sentence, <i>pass</i> the sentence, <i>quantum</i> of the sentence, <i>suspension</i> of the sentence, <i>fix</i> the sentence, <i>weigh</i> the sentence, <i>heavy</i> sentence   |
| <b>Jurisdiction</b> | <i>Contours</i> of the jurisdiction, <i>scope</i> of the jurisdiction, <i>expand</i> the jurisdiction, <i>revolve</i> around the jurisdiction, <i>settle</i> the jurisdiction, <i>under</i> the jurisdiction, <i>within/beyond</i> the jurisdiction, <i>attract</i> the jurisdiction, jurisdiction <i>encompasses</i> , <i>establish</i> the jurisdiction, <i>lose</i> jurisdiction, <i>source</i> of the jurisdiction, <i>exceed</i> the jurisdiction, <i>overstep</i> the jurisdiction  |
| <b>Case</b>         | <i>Root</i> of the case, <i>fix</i> the case, <i>fight</i> the case, <i>open</i> the case, the case <i>hinged</i> on, <i>withdraw</i> the case , <i>premature</i> case, <i>pursue</i> the case, <i>heart</i> of the case, <i>hollowness</i> of the case, <i>proceed</i> the case, <i>fate</i> of the case, the case <i>stems</i> from, the case <i>infected</i> with, the case <i>reflects</i> , <i>cement</i> the case, <i>build</i> the case, <i>architect</i> the case, <i>demolish</i> the case, <i>strong</i> case, <i>fatal</i> case, <i>foundation</i> of the case, <i>contested</i> the case, |
| <b>Petition</b>     | <i>Maintainable</i> petition, petition <i>devoid</i> of, <i>restore</i> the petition, <i>pursue</i> petition, <i>level</i> petition, <i>treat</i> the petition, <i>backdrop</i> of the petition, <i>bar</i> the petition, <i>entertain</i> petition, <i>raised</i> the petition   |

Most of the above metaphoric expressions are in the form of objectification, personification or event structure metaphor. A more vivid picture is created in the mind of the reader when he/she comes across metaphoric expressions like *eyes of law*, *scale of justice*, *miscarriage of justice*, *justice system*, *a precious right*, *sickening crime*, *trophy of his crime*, *extinguish a charge*, *hollowness of the case*, *a living constitution*, *distort the testimony*, *fabricate a charge*, *exceed the jurisdiction*, *pursue the case*, *bar the petition* etc., than the concept expressed through simple literal use of language. Through its explicative power, the



metaphor bridges the concrete and the abstract concepts by concretizing them by means of concepts that are familiar to the public (Ortony, 1975). Lakoff (1993, p. 244) elaborates on the communicative role of metaphor by saying that "metaphor is the main mechanism through which we comprehend abstract concepts and perform abstract reasoning. Metaphor allows us to understand a relatively abstract or inherently unstructured subject matter in terms of a more concrete, or at least more highly structured subject matter".

Commenting on the communicative power of metaphor, Newman (1999) says that the use of metaphor in legal arguments facilitates quick communication simply by drawing on the similarities between the two concepts, thus a witness may very vividly describe things for the understanding of the jury or the judge. Newman (1999; p.3) further elaborates this point by saying that "the well-chosen metaphor is both readily understandable and perfectly attuned to the argument". According to Berger (2002), legal thoughts are often abstract and complex due to the specialized nature of the legal language, creating a language that is particular to the legal community but while presenting their findings to the public, the courts have to take help from the explicative power of metaphor to bridge the gap between the abstract and concrete and effectively communicate difficult concepts to the common users of the language. Examples in KWIC Concordance 5.50 demonstrate the metaphoric use of the word 'trample' for the sheer violation of the law. The negative impact created in the mind of the audience is well depicted with the well-chosen metaphor to convey the utter disregard for the law at the hands of violators.

### **KWIC Concordance 5.50**

#### *Metaphoric Use of the Lexical Unit 'Trample'*

|   |           |   |             |
|---|-----------|---|-------------|
| The present case is a classic example of                  | trampling | fundamental rights, unlawful deprivation of freedom,    | 59c.p..txt  |
| As noted above, the                                       | trampling | of elected local governments, which has come with its   | 12const.p.. |
| without any authorization of law and by brutally          | trampling | over the constitutional guarantees of privacy, personal | 42const.p.. |
| provision of Section 3 of the Act of 2019, as it not only | tramples  | the elected local governments but also tramples upon    | 12const.p.. |
| only tramples the elected local governments but also      | tramples  | upon the fundamental rights of the citizenry, who have  | 12const.p.. |
| of power and the concept of devolution have been          | trampled  | with contempt. Arrogance, self-righteousness and        | 59c.p..txt  |

MEDAL defines the basic meaning of 'trample' as "to put your feet down on someone or something in a heavy way that causes injury or damage". The metaphoric meaning of the word in this context very vividly depicts the treatment meted out to law or constitution by

someone. This metaphor effectively communicates the concept what the user of the metaphor had in the mind about the way the law was violated. Ortony (1975, p. 54), while discussing the importance of metaphor in communication, says that metaphor helps in transferring the “coherent chunk of characteristics- perceptual, cognitive, emotional and experiential from a vehicle which is known to a topic which is less so”. The above example substantiates the view of Ortony (1975) as not only the harm done to law and constitution is conveyed to the readers but also the emotional and perceptual aspects of the concept are also transferred through the use of metaphor.

Stefanowitsch (2005) highlights another dimension of metaphor's role in communication by saying that metaphors not only help in understanding abstract concepts but they can also help in understanding them in different ways as chosen by the writer. He cites examples of ‘*growth*’ and ‘*rise*’, from his study where he found that ‘*growth*’ conceptualized a more complex concept than ‘*rise*’ because ‘*growth*’, as a natural process is generally slow, directional and predictable while ‘*rise*’, though maybe natural at times as well as artificial, is not relatively predictable and is undirectional. The same phenomenon is visible in the COLD where an uncontrolled, unplanned and probably suddenly happening phenomenon is metaphorically expressed through the use of the word ‘*rise*’, while those phenomena that are planned, happening predictably and relatively slowly are described through the metaphoric use of the word ‘*grow*’ as can be seen in the example below in KWIC Concordance 5.51:

### **KWIC Concordance 5.51**

#### *Metaphoric Use of ‘Rise’ and ‘Growth’*

12. There is also a need to develop best standing practices for our own courts, which are seeing a ***rise*** in cases pertaining to international commercial arbitration. { 8c.a.txt }
13. This policy has involved itself with the ***growth*** of organized society. { 8c.a.txt }

In light of the findings from the present study, we cannot but agree with Ritchie (2007) that metaphor plays a significant role in understanding and rendering legal texts accessible to everyone by expressing intellectual imagination for legal reasoning and communication. However, scholars have also warned against the negative effect of metaphor. The choice of vehicle terms of a metaphor for the target domain communicates what the writer wants and thus affects the thinking dimension of the audience. This aspect leads us to another role of metaphor in discourse i.e., persuasive role, which has been discussed in the next section.

### 5.5.2 Persuasive Role of Metaphor

An even more important role played by metaphor in the discourse is its persuasive role. Metaphors have been used since ancient times by lawyers as a persuasive strategy (Kordić, 2020). Because of its potential to represent the world in a novel way and, thus, provide fresh insight, metaphor is often used for persuasive purposes in rhetoric and argumentation (Charteris-Black, 2004). Metaphor is one such device in the language of court decisions used to show that justice has been done by objectively arriving at the decisions after a painstaking deliberative process. While calling metaphor a traditional device of persuasion, Fuller (1967, p. 380) writes; "Eliminate metaphor from the law and you have reduced its power to convince and convert". Studies have shown that selection of the source domain has an impact on the reasoning of people about the target domain (Thibodeau et al., 2019).

Ebbesson (2022) highlights the persuasive effect of metaphor by saying that the selection of expressions like *finding in the source of law* etc., as guiding the interpretation of law in resolving of case, absolves the judges from blame of subjectivity and makes them immune to criticism and thus helps in legitimatizing their decisions. In COLD, there were 494 instances of the word '*find*' used metaphorically. KWIC Concordance 5.52 shows examples consisting of 10 randomly selected concordance lines from the corpus. The metaphoric use of '*find*' in these examples supports the claim of Ebbesson (2022) that the onus of responsibility for arriving at a decision or interpreting a rule or law shifts from the subjective opinion of the judge to the actual '*findings*' or facts in the rules or evidence presented in the court.

#### KWIC Concordance 5.52

*Concordance lines form COLD for MUW 'find'*

|              |   |              |   |
|--------------|---|--------------|---|
| 42const...   | ade therein, and for taking legal action against <b>the persons</b>   | <b>found</b> | involved therein. I allow all the constitutional petitions in these |
| 113crl.p...  | ered the course once again on medical grounds. <b>The plea</b>        | <b>found</b> | favour with the Islamabad High Court and the respondent w           |
| 44j.p..txt   | witnesses, repeatedly held us as second to none <b>in status,</b>     | <b>found</b> | otherwise in a comfortable unison on all the relevant details       |
| 22c.a.txt    | reasons (which are perhaps rather different from <b>those that</b>    | <b>found</b> | favour with the learned High Court), at the conclusion of the       |
| 35crl.m...   | it the two well accepted presumptions: One initial, <b>that, till</b> | <b>found</b> | guilty, the accused is innocent; and two that again after the t     |
| 64c.p..txt   | 05.2017. 4. The learned trial court after completion <b>of trial</b>  | <b>found</b> | the allegation levelled against the petitioner stands proved,       |
| 65crl.p..txt | local police investigated the matter in detail <b>and ultimately</b>  | <b>found</b> | the involvement of the petitioner suspicious, hence, his arre       |
| 92crl.p..txt | within the remit of Police Station Mitroo District <b>Vehari was</b>  | <b>found</b> | in possession of 1460 grams of Charas along with weighin            |
| 68crl.p..txt | al Investigation Agency probed the heist, the <b>petitioner was</b>   | <b>found</b> | to have provided space to the embezzled amounts in her be           |
| 100crl...    | is complaint, inquiry was conducted and the <b>petitioner was</b>     | <b>found</b> | guilty and ultimately in December, 2009 the petitioner depo         |
| 59c.p..txt   | lowed to respond to the notice in accordance with <b>law. We</b>      | <b>found</b> | the contention to be just, fair and lawful. 24. The allegation c    |
| 46const...   | ormation on the desk of one of the two opinion <b>makers who</b>      | <b>found</b> | it to be credible enough to call for an inquiry, nor the filing     |

Similarly, as pointed out by Ebbesson (2022), the persuasive effect of legal arguments in the present corpus can be observed in the frequent reference to impartiality and objectivity through the metaphoric use of expressions like *balance* to convince the readers that legal decisions are based on objective criteria and not the subjective opinions and liking and disliking of the judges. It can be seen in some examples as shown in KWIC Concordance lines 5.53 for the lexical unit *balance* how this persuasive effect has been achieved.

### KWIC Concordance 5.53

*Concordance lines form COLD for MUW 'Balance'*

|               |   |          |  |
|---------------|---|----------|--|
| 132crl.a..txt | standards of safety are to be laid down so as to strike a | balance  | between the prosecution and the defence and to obviate       |
| 59c.p..txt    | this principle of proportionality is applied to achieve a | balance  | between the benefit gained and the resultant prejudice th    |
| 59c.p..txt    | number of judgments emphasized the need to maintain a     | balance  | between individual liberty and societal order while exerc    |
| 42const....   | s the needs of society and the individual and strikes a   | balance  | between society's need for political, economic and judic     |
| 36c.p.txt     | ctory would depend upon larger public interest, nicely    | balanced | with the precious right of the common man. According to      |
| 36c.p.txt     | ctory would depend upon larger public interest, nicely    | balanced | with the precious right of the common man. According to      |
| 59c.p..txt    | erty of a citizen is undoubtedly important but this is to | balance  | with the security of the community. A balance is required    |
| 11c.p.txt     | does not impede the freedom of contract and must be       | balanced | with economic needs to ensure equitable distribution of      |
| 11c.p.txt     | does not impede the freedom of contract and must be       | balanced | with economic needs to ensure equitable distribution of      |
| 112crl.a..txt | imagination from the terrorists and then we react in a    | balanced | and cool way, terrorism will fail." This analysis also confi |

Likewise, selected examples from the corpus in KWIC Concordances 5.54, 5.55, 5.56 and 5.57 highlight metaphoric expressions based on other words related to measurement like *scale*, *yardstick*, *touchstone* and *weight* respectively in the corpus. They convey the idea that these objective and scientific instruments of justice have been used to decide the case impartially and thus they serve the purpose of persuasion about the exactness, accuracy and impartiality of legal decisions by highlighting objectivity in court decisions and thus help in legitimizing them and shifting the onus of responsibility from the judges to the law and its rules or the system at large.

### KWIC Concordance 5.54

*Concordance lines form COLD for MUW 'scale'*

|              |  |        |  |
|--------------|--|--------|--|
| 46const....  | ce is an abstract concept attainable only where the    | scales | of justice are held by persons (the Judges) who balanc       |
| 43const....  | to protect the fundamental rights and to poise even    | scales | of justice between the citizens and the State or the Sta     |
| 29crl.p.txt  | that the Magistrate or the Judge, who is to hold the   | scales | of justice evenly between the State and the accused, sl      |
| 43const....  | then becomes the duty of the judiciary to poise the    | scale  | of justice unmoved by the powers (actual or perceived)       |
| 112crl.a.txt | m desires to be determined from the yardstick and      | scale  | of motive and object, instead of its result or after effect. |
| 41c.a.txt    | udents will be allowed the minimum of the National     | Scales | of pay of the post to which they would be appointed on       |
| 92crl.p.txt  | e home a criminal charge has to be weighed in the      | scales | of rationality; it cannot be required to satisfy adversaria  |
| 46const....  | ner is not patently motivated with malice in fact, the | scale  | and degree of the illegalities are such that the Referen     |
| 59c.p.txt    | the beginning, not a new element to be put into the    | scales | as part of a justificatory balancing exercise. If this were  |
| 112crl.a.txt | family house thus exploded disproportionately to a     | scale  | depicting wanton ruthlessness and impunity in the multi      |
| 112crl.a.txt | of this second "mens rea" is to create chaos, large    | scale  | disturbances, widespread sense of insecurity in the so       |

### KWIC Concordance 5.55

*Concordance lines form COLD for MUW 'touchstone'*

|              |   |             |   |
|--------------|---|-------------|---|
| 112crl.a.... | ion 6 of the Anti-Terrorism Act, 1997 and examined on the   | touchstone  | of the principle of nexus propounded by the largest Bench     |
| 19c.a.txt    | oning which justifies the conclusions reached by it. On the | touchstone  | of the principles of law mentioned above, we find the im      |
| 59c.p.txt    | e actions and the conduct of the public authorities on the  | touchstone  | of fairness, reasonableness and proportionality. performi     |
| 61crl.p.txt  | tation to adjudge the element of malafide or malice at the  | touchstone  | of merits of the case. In the said case, mentioned above,     |
| 94crl.a.txt  | e distinct. The former would require to be adjudged on the  | touchstone  | of objective societal standards, and in doing so, the profi   |
| 94crl.a.txt  | it" or "ill-treatment", would require to be adjudged on the | touchstone  | of objective societal standards, and in doing so, the profi   |
| 21c.a.txt    | therwise. It could not be acceptable even otherwise on the  | touchstone  | of rule of consistency i.e. that one set of civil servants po |
| 112crl.a.... | ty or in any sect. Examining the case in hand on the above  | touchstone, | it is manifest on the face of it that the alleged offence to  |
| 112crl.a.... | ty or in any sect. Examining the case in hand on the above  | touchstone, | it is manifest on the face of it that the alleged offence to  |
| 27c.p.txt    | hop & Baxter LD (Law Reports 1944 page 12). Seen on this    | touchstone, | it is clear that Shahi Mazara Scheme was enforced to col      |
| 112crl.a.... | an accused are deemed to be intended, provides a reliable   | touchstone  | for gathering the design, intention or mens rea of an ass     |

### WIC Concordance 5.56

*Concordance lines form COLD for MUW 'yardstick'*

|              |  |            |   |
|--------------|--|------------|---|
| 112crl.a.... | those cases had been decided on the basis and on the       | yardstick  | of the principles provided for by the earlier definition of a 'terr |
| 112crl.a.... | of 2019, etc. had been decided on the basis and on the     | yardstick  | of the principles provided for by the earlier definition of a 'terr |
| 112crl.a.... | s that act of terrorism desires to be determined from the  | yardstick  | and scale of motive and object, instead of its result or after eff  |
| 112crl.a.... | ty or brutal nature of an offence does not provide a valid | yardstick  | for branding the same as terrorism. In order to qualify as terror   |
| 112crl.a.... | al, gruesome or heinous act are not to be treated as the   | yardsticks | for determining whether an action is to be labeled as terrorism     |

## KWIC Concordance 5.57

Concordance lines form COLD for MUW 'weight'

|             |  |         |  |
|-------------|--|---------|--|
| 113crl.p... | or without possible cure in the prison. Consideration that | weighed | with the High Court does not commend for approval pa     |
| 113crl.p... | or without possible cure in the prison. Consideration that | weighed | with the High Court does not commend for approval pa     |
| 114crl....  | ay back on 24.1.2015 and it was one of the reasons that    | weighed | with the Court to decline the review. The applicant has  |
| 114crl....  | ay back on 24.1.2015 and it was one of the reasons that    | weighed | with the Court to decline the review. The applicant has  |
| 33c.p.txt   | e judgment dated 30.05.2014 primarily appears to have      | weighed | with the Tribunal, being assailed on the ground that his |
| 33c.p.txt   | e judgment dated 30.05.2014 primarily appears to have      | weighed | with the Tribunal, being assailed on the ground that his |
| 123con...   | eo to be admitting that the said conviction and sentence   | weighed | heavily on his conscience and, therefore, he wanted to   |
| 123con...   | eo to be admitting that the said conviction and sentence   | weighed | heavily on his conscience and, therefore, he wanted to   |
| 46const...  | the courts evaluate whether manifestly disproportionate    | weight  | has been attached to one or other considerations relev   |
| 46const...  | the courts evaluate whether manifestly disproportionate    | weight  | has been attached to one or other considerations relev   |
| 44j.p.txt   | nce itself. Criticism on forensic report Ex.PE carries no  | weight  | as it contains relevant details of the procedure followe |

These examples highlight the oft-quoted words in legal matters of Lord Hewart (1924), the then Lord Chief Justice of England who once said "Justice should not only be done but should manifestly and undoubtedly be seen to be done". Berger (2022) substantiates this view by asserting that for legitimacy to be retained in law, it should convince the audience that legal institutions are making just and appropriate decisions. Metaphors like the above help the legal system in convincing the public about its impartiality and exactness.

The selection of a source domain to conceptualize the target domain plays an important role in manipulating the minds of the readers towards a particular direction. Thibodeau and Boroditsky (2011) studied the impact of the selection of source domains for *crime* on the audience's reaction towards selecting solutions and observed that the metaphoric projection of *crime as a virus* and *crime as a beast* evoked different reactions and solutions from the respondents. In the present corpus, many metaphoric expressions from the domain of *disease* have been used for *crime*. They may, in the same manner, evoke in the audience, the urgency of selecting appropriate treatment or remedial measures to deal with crimes. See for examples expressions given in KWIC Concordance 5.58 below. These metaphors create in mind a sense of disease and sickness about crime and illegal activities and suggest that law and its implementation are remedy and treatment for these diseases. Readers may get convinced that crimes can result in harm if not timely prevented and an urge for treatment is aroused in the mind of the readers for urgent implementation of remedies.

### KWIC Concordance 5.58

#### *Selected MUWs in COLD from the Domain of Disease*

14. Regulation of price, and stipulations vis-à-vis delivery remain necessary safeguards to protect an already **ailing** economy such as ours. {11c.p.txt }
15. While committing gruesome and **sickening** crimes, they have to act in cruel manner... {112crl.a..txt }
16. The second question is whether non-compliance with this provision could prove **fatal** to the case. { 36c.p.txt }
1. ...the case was infected with malice. {43const.p }
17. Supreme Judicial Council would also be perpetually engaged in conducting inquiries upon whatever information is placed before them by any informant, **crippling** them from performing their normal judicial function {46const.p }
18. We find that the impugned judgment **suffers** from a serious error in interpreting the relevant service regulations and is therefore liable to be set aside. {41c.a.txt }
19. Section 25 of the Act provides the **remedy** of an Appeal only against a “final” judgment of the ATC {63crl.p }

Similarly, another important aspect of law is highlighted in the present corpus by metaphors like *vacuum*, *gap* and *void* to refer to the absence of laws on a particular subject as can be seen from the following example in the corpus in KWIC Concordance 5.59: -

### KWIC Concordance 5.59

#### *Selected MUWs in COLD from Domain of Vacuum*

1. This is not so in the present case where there is no law; in fact, there is a total legal **vacuum** regarding the tenure of a General. { 106const.p }
2. Every agreement of which the object or consideration is unlawful is **void**. {60c.p }
3. The judge gives the statute a dynamic meaning and thus bridges the **gap** between law and society. {131crl.a }

The persuasive power of metaphor lies in the fact that it draws attention to the natural phenomenon that when a vacuum is created, it sucks air from the surrounding; if the vacuum is large, suction of a large amount of air may cause devastation, by sucking in other things along from the surroundings as well. The vacuum existing in the judicial system may, similarly, cause devastation to the whole system of justice and governance if not filled in timely. It is the responsibility of the legislature to fill the vacuum by enacting requisite laws. However, the judiciary also plays an important role in avoiding devastation in the presence of such a vacuum as can be seen from Sentence 3 in KWIC Concordance 5.59 above.

The journey metaphor is another persuasive device found in the present corpus to convince the readers of the great efforts taken by the judiciary in arriving at judicial decisions. According to Charteris-Black (2011), the journey metaphor is popular with politicians and leaders because it involves progress from the start point towards a pre-planned destination with clear objectives in mind and a plan to avoid drifting by presenting themselves as guides. These metaphors are successful because they depict a positive experience of successfully arriving at destinations. They also establish a subliminal association with the epic and heroic journeys of the folk or epic tales and journeys taken for spiritual purposes like crusades and pilgrimage (Charteris-Black (2011)). In the present corpus, the journey is a predominant metaphor with 185 token types and 9951 tokens, depicting all types of experiences associated with the journey like *hurdles*, *blockades*, *milestones*, *destinations*, *crossroads*, *deviations* and *destinations*. In this journey of legal process, any deviation from law is likely to cause hurdles and delays. The metaphor convincingly conveys the message that court decisions are not an easy process but are being arrived at after a lot of hard work and troubles that are normally associated with the journey.

Sometimes metaphors conveying conflicting views about the same target domain are found in discourse as pointed out by Berger (2002) with his examples of the '*living tree*' and '*golden thread*' metaphors for law; the one conveys the living nature of the tree, characterized by growth and change while the other one projects law as static, fixed and not changeable. In the present Corpus, similar conflicting metaphoric expressions are present to highlight certain aspects that are relevant to the point in discussion and hide others that are not. MUWs from the domain of living organisms like *living*, *grow*, *productive*, *root*, *thrive*, *evolve*, etc., have been metaphorically used to constitute the conceptual metaphor, LAW IS A LIVING ORGANISM, thereby, conveying and highlighting the growing, evolving and



changing aspect of law when it is required. On the other hand, words like *underpinning*, *pillar*, *structure*, and *foundation* from the domain of Buildings and *linchpin*, *fabric*, *thread*, *golden chord* etc., from the domain of Fabric are used to convey the vital significance and fixedness of a law and the need not to disturb it, lest the whole system collapse. See the following examples of conflicting metaphors used for law/ injunctions from the COLD to convey and emphasize opposing aspects as per the requirement of the situation and desire of the producer of metaphor as shown in KWIC Concordance 5.60.

### **KWIC Concordance 5.60**

*Concordances of MUWs 'living' and 'golden cord'*

20. Fundamental rights in a **living** Constitution are to be liberally interpreted.

{106const.p}

21. It clearly shows that equality before the law and equal protection of the law is the cardinal principle which runs like **a golden cord** in all Injunctions of Islam. {84c.p }

Conflict metaphors and metaphors from the domain of sports in legal decisions in the COLD corpus also play important persuasive roles. When legal cases are conceptualized as conflict, they arouse different reasoning about cases in the court than if they are conceptualized in any other way, for example, sports. In the present corpus, concepts from the domain of sports have been used to conceptualize lawsuits in the court. They include lexical units like *check*, *playing field*, *foul*, *lose*, *prize*, *goal*, *play*, *score*, *souvenir*, *team*, *trophy*, *umpire*, *knockout*, *win*, *crease*, *fishing* etc. When lawsuits are conceptualized as sports, they are likely to give birth to less aggressive emotions among the litigants. Boyd (2014) while commenting on the abundant use of sports metaphors in American Judicial opinions attributes its abundance to the Americans' love for sports and similarities between the nature of competitive sports and the adversarial nature of the American court system. However, the frequency of sports metaphors in the present corpus is not quite significant with only 133 tokens (0.21% of the total MUWs in the Corpus). In contrast, war and conflict metaphors for the lawsuits are comparatively much larger with 1342 tokens making 2.07% of the total MUWs (almost ten times more than sports metaphors). As pointed out by Charteris-Black (2011), this type of metaphor is quite effective as it leads to an automatic set of opposition and creates a sense of struggle for survival. Chiu and Chiang's (2011) analysis of the fight metaphor in legal decisions before and after the revision of the Code of Criminal

Procedure in 2003 in Taiwan reported intensification in feelings of hostility and aggression after the new legal system. They observed that the rising frequency of *the Fight* metaphor in legal discourse not only reflects ideologies but also influences legal reality. The high frequency of metaphors for litigation coming from the domain of war as compared to the domain of sports may have adverse effects in the context of Pakistan as well. Cases are likely to be seen as more of a conflict than a competition which may ultimately lead to intensive aggressive behaviour among the litigants. Frequent reports of clashes and conflicts among the litigants might be caused by the dominant use of *conflict* metaphors in legal discourse in Pakistan, which needs to be empirically researched. However, it is not just the negative side of war and conflict that has been highlighted by the metaphor from the domain of war/conflict. The persuasive role of metaphor evoking positive evaluation is visible in metaphors from this domain through the high frequency of metaphors like *protect, defend, secure, guard, shield* etc., to persuade the audience that law has a selfless aim to protect the interests of the public, thereby seeking the confidence of the public in its decisions and evoking a positive evaluation for the judicial system.

### 5.5.3 Metaphor and Ideology

Closely related to the persuasive role of metaphor but more forceful and probably the most important one observed is the role performed by metaphor in the ideological communication of hidden or implicit messages in COLD. According to Charteris-Black (2004), the choice of metaphor in discourse is motivated by the underlying ideology as a different metaphor can be used to communicate the same notion if the ideology is different. Conversely, the same metaphor can be used in different ways to fit in according to the ideological perspective. This idea of Charteris-Black (2004) echoes and substantiates the claim of Lakoff (1993) that “metaphor is fundamentally conceptual, not linguistic, in nature” (p.244). Van Dijk (2006) defines ideologies as some types of ‘ideas’ or ‘belief systems’. He terms them foundational social beliefs of abstract or general nature that are shared by members of a social group which provides the basis for their ideological practices and social structure, define their social identity and control and organize their social beliefs. Similarly, Van Dijk (1998, p.127) calls them a system of social beliefs and “socially shared representations of a general and abstract kind”. Driven (2018), borrowing the idea from Leatt et al., (1986), defines ideology in a general and broader sense as a vehicle or system of thought, an implicit or explicit set of norms and values providing patterns for action in a social network. According to Hodge and Kress (1993, p.15), “ideology involves a

systematically organized presentation of reality” to which Charteris-Black (2004) adds that metaphors play a vital role in such presentation of reality.

According to Van Dijk (2006), ideologies are the ultimate basis of the discourse and social practices of a social group. Ideologies are acquired and reproduced by a social group, explicitly or unwittingly, through language and communication in the form of texts or talks i.e., discourse to explain, motivate or legitimate their actions to serve, sustain or challenge social positions (Van Dijk, 1995 & 2006). Since ideologies are mainly based in language, Van Dijk (1998) draws an analogy between metaphor and language and says that both are abstract systems, shared by social groups and used by their members to accomplish routine social practices. Fairclough (1989) also highlights the significant role played by language in the production and maintenance of social relations of power and draws attention to the role played by language in establishing dominance in social relations. Fairclough (1995, p.73) compares ideology with language and calls it the “material form of ideology” where it is expressed through various means and tropes including metaphor. In language and discourse, metaphor may play a very important role in expressing ideologies. Maalej (2014), basing his assertion on Lakoff and Johnson's (1980) claim, says that metaphor is ideological because like ideologies, metaphors make us focus on one aspect of a concept and keep us from focusing on the other aspects that are not consistent with it. Van Dijk (2013) elaborates on this aspect by saying that abstract notions of people are related by metaphors to their concrete experiences and this way they may emphasize negative or positive opinions. He asserts that conceptual metaphors are “powerful semantic means to bias text and talk ideologically” (p.187). Commenting on the ideological nature of metaphor, Maalej (2014) says that it is not the right question whether metaphor is ideological or not but the right question is to ask when it stops being ideological.

The potential of metaphors to be used for ideological purposes has been studied through critical discourse analysis in various fields like political, gender and racial discourses (Koller, 2011; Ahmed, U. (2018); Denisova, I., & Telesheva, I. (2020); Reisigl & Wodak (2001); Charteris- Black 2004, 2005, 2011, etc.). Goatly (2007, p.64), while referreing to Thomson, (1984), terms metaphor as a tool of ideology and “meaning in the service of power”. Like the polarization tendency of ideologies to highlight positive in-group and negative out-group features (VanDijk, 2013), metaphor is also characterized by partial mapping and structuring by highlighting aspects of the target domain that are consistent with

it and hiding those that are not. Newman (1999) calls them misleading and seductive because they highlight the resemblance between things but mask the difference. According to Charteris-Black (2011), metaphor is often used for ideological purposes because of its potential to activate unconscious emotional associations, myth creation and establish moral credibility thus conveying to the readers the right intentions of the users of metaphor. However, as stated by Van Dijk (2006) about words, phrases, topics etc., they are not ideologically biased in themselves, rather their use in context makes them so; the same can also be said about metaphors that not all of them are metaphorically biased. In the present study, the ideological aspect of metaphor was explored through its use in context and the role it plays in the discourse.

### 5.5.3.1 Superiority of Law/ Judicial System

The most important ideological function of metaphor observed in the present discourse was its role to establish the superiority of law and to inspire a high esteem towards the institution of the judiciary and the legal system. Mostly, this ideological role is expressed through the conceptual metaphor of the Vertical Orientational type, POWER/GOOD/IMPORTANCE IS HIGH, and LACK OF POWER/ IMPORTANCE/BAD IS LOW (Goatly, 2007). There are 5213 tokens of metaphors based on this theme that highlights the supremacy of law. Most of these are expressed by lexical units related to vertical orientation as shown in Table 5.22.

**Table 5.22**

*Lexical Units used in COLD for Metaphor of Vertical Orientation Type*

| <b>High</b>    | <b>Low</b>      |
|----------------|-----------------|
| high (1013)    | under (2102)    |
| above (629)    | fall (230)      |
| supreme (425)  | subjected (217) |
| over (160)     | down (110)      |
| superior (141) | lower (40)      |
| up (81)        | inferior (30)   |
| elevate (8)    | descend (1)     |
| supremacy (8)  |                 |
| apex (5)       |                 |
| super (4)      |                 |

The most significant among the above is related to the nomenclature used for the hierarchy of the court system in Pakistan. The most powerful court in the country is named the Supreme Court of Pakistan, also termed sometimes as *the Apex Court*, while next to it in hierarchal order and jurisdiction are the courts at the provincial level that are named as the High Courts. Courts with lesser power are frequently referred to as *inferior* courts or *lower* judiciary. These names, in themselves, give a status of importance to the courts and establish their superiority in the eyes of the public. Metaphoric expressions like *under the law*, *subject to the constitution*, *supremacy of the constitution*, *above the law*, *power over the institution*, *superior judiciary*, *subjected to judicial scrutiny*, *under the law laid down by this Court*, etc., establish the ideology that law is above every individual and institution in the country and everyone is subject to the law. Law and constitution are *supreme*; anything that is *under* the law is legal and hence allowed and anything *above* the law is illegal and not allowed. Even if something is not above the law but bypasses the system of law instead of coming under it, falls in the category of illegal. The ideological superiority of the judicial system is not just confined to the constitution and law only; rather the whole judicial system, including judges of the Supreme and High courts, are held in great esteem unlike political leadership and even members of civil bureaucracy who are often subjected to severe criticism, judges in Pakistan and the judicial system in general are mostly immune to such criticism.

### 5.5.3.2 Sanctity of Law

An important ideological theme observed in the COLD is related to the sanctity of law. Judiciary is not just a vital organ of the state and law is not merely to be enforced through the power of the state. Law is to be followed because its violation is punishable by the court. But the law is also to be followed and respected because it is *sacred* and *solemn* and has *sanctity* and *majesty* just like a religious duty. In addition to the force of the state, the law has divine force behind it and judiciary has the sacred duty to implement law. In the Corpus, we find numerous examples as shown in KWIC Concordance 5.61.

### KWIC Concordance 5.61

*MUWs form COLD Displaying Sanctity of Law*

22. There must be an application and an applicant to *invoke* the jurisdiction of judicial review ... {28c.p. }

23. Permission to deposit the balance amount and any contumacious omission in this regard would entail in dismissal of the suit or **decretal** of the suit... {14c.a.}
24. the **cardinal** principle relating to construction of Statute, would be defeated and {112crl.a }
25. During the course of investigation, the respondents **confessed** their **guilt**...{10c.a }
26. I place myself at the **mercy** of the Hon'ble Court and **invoke** its compassion ... {133Crl.M.A}
27. On a conceptual plain, Article 117 of the Order **enshrines** the foundational principle of our criminal justice system, ... {94crl.a }
28. The worthy President has grossly failed to discharge his constitutional obligations as **ordained** under Article 209(5) of the Constitution {46const.p}
29. Giving false testimony has many **evils** for it supports falsehood against truth ... {135Crl.M.A }

These metaphoric expressions about law are ideological because they establish the sanctity of law and everything associated with it and are likely to evoke a similar response. When law is metaphorically talked about in terms of religion and sacredness, it evokes a different response than merely talking about it in terms of a political and social requirement for running the system of the state smoothly.

### 5.5.3.3 Law as Protection

In the COLD, 1323 metaphoric expressions are from the domain of war and conflict that evoke the idea of fighting, killings, and destruction. However, it was observed that there are quite numerous metaphoric expressions from this domain that convey the idea that law, the courts and the whole judicial system also perform the vital function of protecting the rights, liberty and lives of people. These include metaphoric expressions like *protect*, *defend*, *safeguard*, *shield*, *guard*, *secure* etc., to assure the general public that they and their rights and property will be protected by law and the courts. This theme is so prominent that *protect(ion)* and *defend* have been used 206 and 127 times respectively while *safeguard* and *shield* around 50 times each in the discourse. The ideology that emerges from these metaphoric expressions is that the judicial system is the custodian of the common people, their rights and their property and hence deserves more trust. The judicial system exists to protect individuals even from the unlawful intrusion of the state into their lives. In the words of Charteris-Black (2011), these types of ideological metaphors have the potential to evoke

ideas about their user having the right intentions and thus appeal to positive emotions in favour of the originator of the metaphor by ‘establishing moral credibility’ or ‘ethos’ for the user. Moreover, with these types of metaphors, social evils or evil-doers are conceptualized as enemies to justify taking legal actions against them and ‘*protect*’, ‘*defend*’ and ‘*secure*’ the common people from their harm. Some examples below in KWIC Concordance 5.62 form COLD highlight this aspect.

### **KWIC Concordance 5.62**

*MUWs form COLD Highlighting Law as Protection/ Saviour*

30. The Act is designed to ***protect*** the suppliers and buyers of sugarcane... {11c.p.txt}
31. We have the fundamental rights that have been conferred with constitutional ***protection*** to be jealously ***guarded*** against any ***invasion*** of law or acts of the executive {46const.p}
32. Having taken an oath to preserve, ***protect*** and ***defend*** the Constitution, a constitutional judge cannot be forgetful of the fact ...{28c.p.}
33. Nothing in this Code shall be deemed to limit or affect the inherent power of the High Court ... to prevent abuse of the process of any Court or otherwise to ***secure*** the ends of justice. {63crl.p}
34. The practice to grant ad-interim bail is extension of such a remedy to act as a ***shield*** to ***protect*** innocent person facing highhandedness of individuals or authority {61crl.p}
35. Fundamental rights of privacy, personal liberty and dignity ***provide a bar against intrusion*** into the private life of a citizen through surveillance; {42const.p}

#### **5.5.3.4 Crime/ Unlawfulness as a Disease**

In the present study, it was observed that many metaphors in the corpus had an ideological message to present crime, lawlessness and offences as diseases in order to arouse negative feelings about them while adherence to the law and the need for more laws and their implementation is presented as a cure for these diseases. While commenting on the

metaphoric use of ‘*remedy*’ used by British MP Ann Cryer, in the aftermath of the 2001 racial riots in England, Blackledge (2005) says that this metaphor is doing the ideological work in suggesting solutions for the disease. He writes, "that which requires a “remedy” must be a disease" (Blackledge, 2005, p.105). In the COLD, there are 162 tokens of ‘*remedy*’ and ‘*remedial*’ that have been used metaphorically for presenting solutions to problems related to law. Though in law ‘*remedy*’ is a technical term as defined by the Black Law Dictionary as "the means by which the violation of a right is prevented, redressed, or compensated" the expression holds a metaphoric value for a common reader. Keeping in mind the frequent use of metaphoric expressions related to diseases, in addition to *remedy*, from the source domain of *health* as shown in examples below, we may modify the words of Blackledge (2005) who said, "that which requires a “remedy” must be a disease" by rephrasing it as “*if it is a disease, it must require remedy*”. Some of these examples are given in KWIC Concordance 5.63. These examples from the corpus illustrate that *crime* has been presented as a disease in the discourse and evoke the ideology that it must be treated accordingly in order to cure it.

### KWIC Concordance 5.63

#### *MUWs for Crime as Disease*

1. The defect in competence and maintainability of the petitioner's petition filed under section 561A, Cr.P.C. remained ***uncured*** and ***fatal*** to the petition. {63crl.p}
2. Reluctance by the public to stand in aid of law is ***symptomatic*** of abysmal civic apathy ***fatal*** to the petition. {62crl.p}
3. The judges of the Superior Courts are not ***immune*** from accountability....(however) the case was ***infected*** with malice. {46const.p}
4. Such noncompliance will render the suit ***invalid*** for the want of the necessary party. {36c.p.}
5. The imposition of a constructive trust by equity is a ***remedial*** device designed to prevent unjust enrichment. {11c.p}
6. Their brainwash is made in a planned manner so that, while committing gruesome and ***sickening*** crimes, they have to act in a cruel manner. {112crl.a}
7. The Learned Counsel for the Petitioner has not been able to demonstrate any ***infirmity***, error or flaw in the impugned order. {98c.p}



8. Importing into the said provision any word, or phrase shall not only be violative of the elementary principle of interpretation but shall also **hurt** the very spirit of the said provision. {43const.p}

If something is *uncured, symptomatic, fatal, infected, invalid, painful, hurts or sickening*, it must be cured. This may explain the purpose of the frequent use of *disease* metaphors in the corpus that have been used for arousing the urge to take immediate action and remedial measures to prevent them. The ideological impact of such metaphors has been established by the elaborate study of Thibodeau et al., (2019) who observed that alternatively presenting crime as ‘beast’ and as ‘virus’ evoked different responses from the respondents about dealing with the issue.

#### 5.5.3.5 Crime and Unlawfulness as Destruction

Van Dijk (2013, p.187), while commenting on the role of metaphor in discourse, says that metaphors are “powerful semantic means to bias text and talk ideologically” by emphasizing positive or negative feelings and thereby arousing emotional consequences for influencing understanding and organizing ideological meaning from the discourse. Like disease, if crime and lawlessness are presented as *destruction* or *devastation*, a different response may be evoked than the one evoked by merely presenting it as a violation of a set of rules that is punishable by the court. In the COLD, hundreds of examples of this nature are found where the undesirable or the negative aspects of the adversary (in this case criminals and violators of law) are emphasized. The following examples in KWIC Concordance 5.64 show metaphoric expressions from the Corpus that have their source domain in the destructive power of nature. They present the ideological message of devastating results if law and constitution are not adhered to.

#### KWIC Concordance lines 5.64

##### *Selected MUWs from COLD for Crime as Destruction*

1. The state **unleashes** a mighty **storm**, which not infrequently fulfills the terrorists' most cherished dreams. {112crl.a }
2. Any concession at this stage or any leniency to the candidates or the person elected would be a prelude to a **catastrophe** in politics. { 122c.a.txt }
3. However, this is only the tip of the **iceberg**. { 46const.p }
4. A massive fraud in a bank may send **shockwaves** ....{ 112crl.a }

5. Unlawful infringements of Article 209 *erode* the independence of the judiciary.  
{46const.p }
6. Unchecked falsehood in testimonies... increasingly *polluting* and *sully*ing the stream of justice itself. { 135Crl.M.A }
7. It will also open the *floodgates* of litigation by Judges who are the subject of a Reference. {46const.p }
8. Watchman, from the witness box has been referred to as a *devastating blow* to the credibility of prosecution case ... {70crl.p }
9. Yet, to discard the existing laws (a possibility that does exist in theory) would be to invite *chaos*. {22c.a.}
10. Undue surveillance can lead to a *chilling effect* on those critical of State institutions.  
{42const.p }

The above examples are likely to evoke a different response in the audience than that can be evoked by mere literal statements of punishment by the court for any violation of law. One important aspect of the metaphors mentioned in KWIC Concordance lines 5.65 (i.e., *storm, catastrophe, shockwave, floodgates, chaos* etc.) for natural calamities evokes the idea of collective damage to a community that is not confined to a particular individual or group. When there is a *flood, chaos, shockwave or catastrophe*, everyone in the vicinity is likely to be affected. So, an urge for collective action, not after the occurrence of an offence but well in advance as a preventive measure is provoked in the minds of the people.

### 5.5.3.6 *Us* versus *Them* Construction

Wodak (2001) considers ‘*Us*’ and ‘*Them*’ construction in discourse as the basis of discourses of identity and difference and says that polarization between ‘*Us*’ and ‘*Them*’ is emphasized through selection of lexis and metaphor to portray in detail the negative concepts associated with ‘*them*’ and the positive concepts with ‘*us*’ by presenting many details of *their* bad action and *our* good actions and furnishing less details about *our* bad actions and *their* good actions. In the polarized structure of ideologies based on the polarization of ‘*us*’ versus ‘*them*’, ideological *in-groups* are represented as positive while the *outgroups* are represented as negative (Van Dijk, 2013). Discourse in the present study is not a typical example of polarization between the *in-groups* versus *the out-groups*; however, based on examples of metaphoric expressions found in the corpus, it can be observed that members of the judiciary in particular and those abiding by the laws, in general, are representatives of the *in-group*

while criminals, violators of law or those who have no regard for law and even the common citizens in some respects are the *out-groups*. In the corpus, we find numerous metaphoric expressions that organize the ‘*Us*’ versus ‘*Them*’ polarization by elaborating the crimes of ‘*them*’ with negative metaphoric expressions (negative other-presentation) and at the same time attributing positive description to ‘*us*’ (positive self-presentation) to portray a positive image as shown in Table 5.23 below.

**Table 5.23**

*Us versus Them metaphors in the COLD*

| ‘Us’ (In-Groups)  | ‘Them’ (Out-Groups)   |
|---|---|
| We have felt nothing but <i>sympathy</i> ...<br>.... to be conducted by an <i>Honourable</i><br>Judge of this Court<br>a <i>generous</i> opportunity (provided by the<br>court) ...<br>Honourable Court may <i>graciously</i> be<br>pleased...<br>...we are inclined to apply the <i>liberal</i><br>interpretation...<br>...at the <i>mercy</i> of the Hon’ble Court.<br>...the judicial <i>virtues</i> of a constitutional<br>Judge have been articulated in the code of<br>conduct. | ... <i>brutality</i> displayed by the culprits<br>Offence committed was certainly the<br>most <i>heinous</i><br><i>Lust</i> of power... resulted in violation of the<br>prescribed jurisdictional limits...<br>His <i>sordid</i> and <i>disgusting</i> conduct...<br>...such <i>stinking</i> conduct has the<br>tendency to bring bad name ...<br>...the accused massively benefited from<br>the <i>foul</i> play,<br>...the seat of the malice or bad faith is the<br><i>evil</i> mind of the person taking the<br>action... |

Wodak (2001) is of the view that this type of polarization not only expresses but also enacts power and leads to the construction of mental models and social representation to influence control of the mind. Ideologies thus emerged form the basis of the socio-political cognition of the groups and organize their general attitude and opinion about social issues and social practices in the light of their goals and interests as a group (Van Dijk, 2006 & 2013). The use of MUWs like *brother* and *fraternity* in the corpus further strengthens this view that implies that judges and even lawyers constitute an *in-group* while other members of society

are members of the out-group as can be seen from the following examples from the Corpus in KWIC Concordance lines 5.65.

### **KWIC Concordance lines 5.65**

*MUWs like Brother and Fraternity in the Corpus*

1. I agree with the judgment authored by my learned **brother** XXX and would like to add ... {109const.p }
2. The petitioner commands great respect in the legal **fraternity**. {46const.p }

Another dimension of the ‘in’ and ‘out’ groups is expressed by the container metaphor for law. As discussed in Section 5.3.2.1, the highest number of metaphors in the present corpus, in fact, was observed coming from the source domain of physical objects as a container with (11813) tokens. Ritchie (2007) points out a specific application of the container metaphor for constructing group identity by introducing the notions of ‘inclusion’ and ‘exclusion’ and thus providing reference points for relating personal, professional, social and political relationships and granting privileges and rights accordingly. She believes that these types of container metaphors reflect the ancient traditions of creating walled cities and monasteries to exclude unwanted people and provide protection to the privileged ones. The container metaphor suggests that *law, constitution, act, statutes* etc., are containers with inside/ outside dimensions and possess boundaries and parameters. Things that are inside these containers are the *in-group* and things outside the container are the *out-groups*. Those inside the law are legal, authorized and allowed (*within the ambit of Section 9, within the parameters of the ATA of 1997, within the bounds of judicial legitimacy, frontiers of a living constitutional democracy*). Those lying outside the container are illegal, unauthorized and not allowed (*to step outside the law, beyond the pale of restricted definition, beyond the jurisdiction, he has crossed all limits*.) Probably, this is the reason that we have expressions like *outlaw* and *outcast* to label those who break the law or go outside the parameters of law.

Maalej (2014) believes that the construction of ideology through metaphor in discourse is achieved through ‘perseverance’ i.e., the same frame or source domain is used consistently throughout the same discourse. Data from the COLD (Table 5.18) shows that frames or source domains identified in the Corpus have been used consistently throughout the discourse. Most of the predominant domains discussed in Section 5.5 have tokens in the

corpus in hundreds and some even run in thousands. Lakoff and Johnson (1980) have also highlighted this aspect about the ideological aspect of metaphor and say that using a consistent set of metaphors in language does the ideological work by hiding many aspects of reality. Charteris-Black (2004), quoting Stubbs (2001) says that repeated patterns of a particular word, phrase or construction point to the evaluative aspect of their meanings not only personal but also to the widely shared views in the discourse community and says that the recurrence of metaphor in discourse reflects a recurrent way of thinking in the community. The high frequency of some source domains, as shown in Table 5.24 below, points to this aspect of the ideological use of metaphor in the discourse.

**Table 5.24**

*Source Domains and their Frequency in the COLD*

| <b>Source domain</b>           | <b>Number of MUWs in COLD</b> |
|--------------------------------|-------------------------------|
| Physical objects (reification) | 21804                         |
| Spatial location               | 17009                         |
| Journey and move               | 9951                          |
| Humans                         | 7027                          |
| War and conflict               | 2100                          |
| Theatrical performance         | 1008                          |
| Building and construction      | 998                           |
| Business and finance           | 930                           |
| Machines and tools             | 836                           |
| Religion                       | 798                           |
| Power and force                | 640                           |
| Earth and nature               | 553                           |
| Government and politics        | 329                           |
| Cloth and dresses              | 293                           |
| Animal and plants              | 274                           |
| Science                        | 209                           |
| Light and darkness             | 191                           |
| Food and cooking               | 158                           |
| Sports and adventure           | 133                           |
| Academic/ classroom            | 107                           |

| <b>Source domain</b> | <b>Number of MUWs in COLD</b> |
|----------------------|-------------------------------|
| Measurement          | 105                           |
| The supernature      | 50                            |
| <b>Total</b>         | <b>65503</b>                  |

Another factor mentioned by Maalej (2004) that renders an ideological dimension to metaphoric expression is the use of conventional metaphors because they go unnoticed in our daily routine. As discussed in Section 2.14, this study focused only on conventional metaphors; the examples given in this study are almost all related to conventional metaphors. Being part of daily language, conventional metaphors are generally unmarked and are therefore not usually noticed by the readers, thus making them the ideal candidates and the best choice for loading them with ideological content as visible from thousands of examples from COLD. The readers are conveyed the ideological message subtly through these conventional metaphors which they receive unknowingly.

Charteris-Black (2004) highlights another dimension of the ideological exploitation of metaphor in discourse. In the analysis of metaphors related to terrorism in discourse from three domains, i.e., politics, religion and conflict, Charteris-Black noticed that these metaphors are interconnected to negatively evaluate and construe agents of terrorism as criminals. The researcher elaborates further that many metaphoric expressions in discourse are systematic representations of a single idea expressed through these metaphors to express ideology or a belief system. In the present corpus, many instances of this type of interconnectivity between different domains exist to positively or negatively evaluate a concept. For example, many metaphors from the domain of journey, religion and war positively evaluate the law and people/ institutions associated with it while criminals and violators of the law are negatively evaluated through numerous metaphors from different domains like disease, war, nature and religion working interconnectively in the discourse. All this discussion illustrates the stance given by Deignan (2005, p.13) while summarizing the main tenets of CMT that "Metaphor is ideological".

I will conclude this part of the discussion with the words of Ritchie (2007, p. 1018) who said that metaphors are not just literary devices to clad ideas with fanciful language but are powerful because they have "substantial real world and existential consequences... Metaphors really do affect the way we live and understand".

## 5.6 Summary of the Chapter

This chapter was focused on discussing the findings of the study in light of the three research questions. Findings revealed that 13.6% of the discourse consisted of conventional metaphors. These results are compatible with the observations made by Thibodeau, et al., (2019), who claim that 10% to 20% of natural discourse consists of figurative language including metaphor. Apart from the frequency of metaphoric expressions, the data analysis also revealed that metaphors were not homogeneously distributed across word classes as different word classes were observed to have different frequencies. Among word classes of identified MUWs, prepositions were the highest in frequency making 49.46 % of all the MUWs, followed by followed by verbs (23.53%) and then nouns (16.17%). The study also explored the types of metaphors in the discourse. For this purpose, source domains of the metaphoric expressions and their classification based on cognitive functions i.e., structural, ontological and orientational metaphors were examined. Analysis revealed that the source domains of *Physical Objects*, *Spatial location*, *Journey and Move* and *Humans* were the dominant source domains constituting more than 85.17 % of all the MUWs in the corpus. Apart from that, the study also revealed numerous examples falling in the category of metaphors of Event Structure Metaphor (Lakoff, 1990; 1993) and Abstract Complex System metaphors (Kövecses, 2010). In the last part of the Chapter, the role of metaphor was discussed and it was found that metaphors play communicative, persuasive and ideological roles in discourse. While presenting the abstract, complex and imaginative concepts in concrete and familiar language for easy comprehension, it was found that metaphors also play the ideological role by selectively highlighting or downplaying the concepts.

## CHAPTER 6

### CONCLUSION

#### 6.1 Overview of the Thesis

The main focus of this study was to find the frequency and types of metaphors in legal discourse in Pakistan and to identify the role played by metaphors in the selected discourse. Three research questions were developed to systematically carry out the study. These research questions were:

1. What is the frequency of metaphorical expressions in the Pakistani legal discourse?
2. What types of metaphors are frequently employed in the Pakistani legal discourse?
3. How do metaphors employed in the Pakistani legal discourse throw light on their role in court judgements and orders?

In Chapter 1, the research problem was identified and along with the research objectives and research questions, the significance of the study was discussed. In Chapter 2, the theoretical underpinning of the study along with available relevant literature and findings from previous studies were discussed. In Chapter 3, the methodology adopted to find answers to research questions was discussed. In Chapter 4, data analysis of the study was presented while in Chapter 5, discussion on the data analysis was made in the light of the three research questions. In the last chapter, an overview of the study is presented.

#### 6.2 Data for the Study and Methodological Aspects

A specialized corpus was developed for this study which was named Corpus of Legal Discourse in Pakistan (COLD) and consisted of 139 judgments of the Supreme Court of Pakistan related to all types of cases including civil, criminal and constitutional cases. The corpus consisted of 481,577 tokens. A combination of MIP (Pragglejaz Group, 2007) and MIPVU (Steen et al., 2010) techniques were employed for the identification of metaphors in



the discourse. Charteris- Black's (2004) work provided guidelines for carrying out a two-stage metaphor analysis; in the first stage, a selected sample from the corpus consisting of 30% of the total judgements was selected for manual analysis in the light of MIP and MIPVU techniques. The MUWs identified in the manual analysis were used as the starting point for the second stage of the study, where these MUWs were searched in the whole corpus through the use of a computer using AntConc 4.1.4 (Anthony, 2022) software. Around 1182 lexical units were searched using the computerized search through an elaborate and thorough analysis of around 90158 concordance lines by searching the context of the lexical units to determine whether they were metaphorical or not. The results were tabulated and inferences were made using descriptive statistics.

### **6.3 Findings of the Study**

Analysis of data from the study led to the following findings:-

#### **(1) Frequency of Metaphors in the Discourse**

The computerized search showed that 65,503 tokens out of the total 481,577 lexical units in the corpus were metaphorical according to the set criteria of the study. These MUWs consisted of 13.60% of the whole corpus, while the non-MUWs consisted of 86.40%. Results of the study also revealed that the distribution of these 65,503 MUWs found in the corpus was not uniform across word classes as there was remarkable variation in the frequency of metaphoric use among different word classes in the corpus. The highest percentage of MUWs in COLD consisted of prepositions, making 49.46% of all the MUWs with their total 32401 tokens, followed by verbs (23.53%) with 15,413 tokens and then nouns (16.17%) with 10595 tokens. These three classes made up almost 89% of all the MUWs in the corpus. The remaining three classes had a minor share, with adjectives making 6.71%, adverbs making 2.11%, and determiners making 2.01% of all the MUWs. The combined share of these last three classes was just 11% of the whole corpus.

(2) The study confirms and validates claims of CMT about the pervasiveness of metaphor in discourse with empirical evidence and agrees with Lakoff (1993) that metaphor is central to ordinary natural language. The frequency of metaphors observed in the corpus is in line with several studies especially, the elaborate study undertaken by Steen et al., (2010). The results are also compatible with several other studies,

particularly, Chiu and Chiang (2011), Jumanca, (2012), Šeškauskienė and Stepanýuk (2014), Urbonaitė (2017) and Li & Xiao (2017) and agree with Šeškauskienė and Stepanýuk (2014) that legal discourse also follows processes of general human cognition regarding the presence of metaphor in language.

- (3) The claim made by Richards (1936, p. 98) about the pervasiveness of metaphor when he says that "we cannot get through three sentences of ordinary fluid discourse without metaphor" is also validated as it was observed that, on average, there is at least one metaphor in every standard sentence of the corpus. The study also provides further linguistic evidence for the concepts of the Event Structure Metaphors given by Lakoff (1993) and Kövecses (2010) and the Complex Structure Metaphor by Kövecses (2010).

(4) **Types of Metaphors Based on the Source Domains of Metaphors**

Analysis of results regarding source domains of the metaphoric expressions revealed that the highest number of metaphors came from the source domain of *Physical Objects* with 21801 tokens, making 33.28% of all the MUWs. It was followed by the domain of *Spatial location* with 17009 tokens, making 25.97%, *Journey and Move* with 9951 tokens, making 15.19%, *Humans* with 7027 tokens, making 10.73 % of the source domains in the corpus. The predominance of these four source domains including *physical objects, space, journey and move* and *humans* was so prominent that, together, these four source domains constitute more than 85.17 % of all the MUWs in the Corpus while the rest of the domains had a collective share of only 14.83 % in the Corpus. Among the minor source domains, *War and Conflict* with 2100 tokens making 3.21%, *Theatrical Performance* with 1008 tokens, making 1.54%, *Building and Construction* with 998 tokens making 1.52%, *Business and Finance* with 930 tokens making 1.42%, *Machines and Tools* with 836 tokens making 1.28 % and *Religion* with 798 tokens making 1.22% of the whole MUWs in the Corpus were the prominent ones. There were several other domains like *Power and Force, Earth and Nature, Science, Government and Politics, Cloth and Dresses, Animal and Plants* etc., but their share was less than one per cent each in the Corpus.

(5) **Types of Metaphors Based on Cognitive Function in the Discourse**

Types of metaphors mentioned by Lakoff and Johnson (2003) and Kövecses (2010) on the basis of cognitive functions that include Structural metaphors, Ontological

metaphors and Orientational metaphors were found in different proportions in the Corpus. In the present corpus, almost 25% of metaphors were of the Structural type where one concept is structured in terms of a more familiar and concrete concept. The target domain i.e., law and its related concept, were mostly found structured in terms of source domains from *journey, war, building, business, machine, religion, theatrical performance, plants* etc., focusing on highlighting a specific feature of the target domain in terms of the source domain. However, the highest percentage was observed for Ontological metaphors where physical features or concrete qualities are assigned to abstract entities which they do not possess inherently. These types of metaphoric expressions projected the target concepts in a general way without specifying their exact and specific nature and are usually used to identify, to refer, to quantify and to express cause or purpose. These types of metaphors represent almost 59% of the total metaphoric expressions in the corpus. The third type of metaphors, i.e., Orientational metaphors which help in organizing a system of concepts in relationship to other concepts and give a spatial orientation to concepts are present in the corpus with a percentage of about 16%.

#### (6) **Role of Metaphors in the Discourse**

In response to the third research question which was related to investigating the role of metaphors in the selected legal discourse, the identified metaphors in the discourse and their analysis in the context revealed three main roles in legal discourse in Pakistan.

- a. The first of these roles was the communicative role of metaphor in assisting to present many difficult, unfamiliar and abstract concepts in simpler and concrete terms especially for the general public or in filling the semantic gaps in cases where no words are available to describe a concept in an economical, efficient and vivid way. It was observed that metaphor serves as a bridge between the familiar and the unfamiliar in discourse. It was also seen that metaphors help in understanding concepts in different ways as chosen by the writer to highlight a particular aspect of the concept.
- b. Along with the communicative role of metaphor, it was observed that metaphor also plays an important role in the persuasion of the audience towards a particular thought expressed by the courts to convince the parties to litigation

and the general public that justice has been done. Selection of a specific source domain for metaphor to express a particular idea in legal decisions may be helpful to persuade the audience that the judges have objectively and impartially interpreted the law and that the decisions have been made with selfless and judicious intentions. It was found that various metaphoric expressions based on vehicle terms like *find*, *balance*, *scale*, *yardstick* etc., were employed to convey the idea that the courts have adopted an unbiased and neutral mechanism by pondering over all aspects of the case and made the decision after an elaborate and objective evaluation of arguments in the light of provisions of the laws.

- c. In addition to the persuasive role, it was observed that a more important role is played by metaphor in the form of an ideological role. The potential of metaphor for ideological purposes has been realized since ancient times. In the present corpus, it was observed that many ideological themes were conveyed through metaphors. Ideology as foundational beliefs for the social structure and practices of a group are usually expressed through language. It was observed that metaphors are quite useful devices for the expression of ideologies in a subtle and unnoticed way because metaphor, by its very nature, allows partial projection from the source domain to the target domain and is often exploited to highlight certain aspects of a concept and hide others as per the intentions of the users. It was observed that a great many metaphoric expressions in the corpus were employed for such ideological roles in the corpus. One of the main ideological messages that were noticed in the present study was to accentuate the superiority and sanctity of law in particular and the whole judicial system in general. It was observed as a recurring theme that, through metaphoric projection, especially through orientational metaphors, the superiority of law and legal system over other individuals and social and political institutions was projected. These types of metaphors were employed to convey the ideology that no one is 'above' the law and that every individual and organ of the state has to work 'under' the law and constitution and 'within' the ambit of the legal framework. Similarly, the power and jurisdiction of the different courts in the society are also metaphorically conveyed through the use of hierarchical terms like *superior/ higher* courts, *lower/inferior* judiciary or *subordinate* courts. The nomenclature adopted for the superior courts like the Supreme Court and the High Courts themselves conveys this superiority. Similarly, through metaphors

from the domain of *disease, destruction, war* and *religion*, crime and lawlessness are presented as disease and destruction while the judicial system is projected as a *remedy, protection* and *shield* against violation of law and as a divine and sanctified institution, to substantiate its superiority. The ideology was further advanced through metaphors of *inclusion* and *exclusion*, by drawing an ideological distinction between *Us* and *Them* through exalting and glorifying all the good aspects of the judicial system and law-abiding citizens while highlighting the negative features of criminals and outlaws.

(7) **Methodological Issues**

The present study employed Charteris-Black's (2004) two-stage metaphor identification methodology combining manual and automated search for metaphors in large texts and found it, overall, quite satisfactory, especially in the absence of specific software for an exclusively computerized analysis. However, shortcomings in the procedures were also identified as it was observed that in the absence of a specific software to completely computerize metaphor identification in discourse, a hybrid approach that combines manual and automated search was quite successful but still not perfect as computer only identify further instances of manually identified MUWs without helping in the identification of new MUWs. It was observed that extending the search to a larger context around the nodes greatly solved the problem.

(8) The present study agrees with the observations of Lakoff & Johnson (1980) and Gibbs (1994) that classical account of metaphor (including observations from scholars like Mattila, 2006 related to legal discourse) did not acknowledge the existence of metaphors in language because the focus for metaphors was on non-conventional and innovative metaphors rather than conventional metaphors which are the actual focus of CMT. Differences in views about the existence of metaphors and their percentage may partly be attributed to the metaphor defining criteria which take different aspects into account while reporting/describing the frequency of metaphors in discourse.

(9) The study also found a large number of instances and evidences of Complex System Metaphors and Event Structure Metaphors from the domain of legal discourse in the context of Pakistan.

## 6.4 Recommendations

The findings of the current study highlight the significant role of metaphors in the legal discourse of Pakistan, revealing that more than 13% of the language in selected legal judgments is metaphorical. It was observed that Metaphors are utilized for communicative, persuasive, and ideological purposes, underscoring their importance in shaping legal narratives. Based on these insights, the following recommendations are proposed to enhance public communication, foster clearer legal understanding and promote a judicial system that is both respected and accessible:-

### (1) Enhanced Utilization of Metaphors in Legal Language

- a. Metaphors are important tool for effective communication. By employing metaphors judiciously within legal language, the clarity and accessibility of public communications can be significantly improved. This approach will ensure a deeper and more intuitive understanding of complex legal principles and abstract concepts by the general public, thereby fostering greater understanding and respect for the judicial system.
- b. While it is desirable to promote metaphors that depict the judiciary as a guardian of societal values, it is equally important to monitor the use of metaphors to avoid the unintentional propagation of ideological biases. The legal system should be portrayed as a protective and righteous institution, akin to a ‘shield’ safeguarding the populace's rights or a ‘balanced scale’ ensuring fairness.
- c. It is also important to ensure that metaphor usage in legal rulings and discourse should align with the principles of equality and justice. Young professional should learn to strategically use metaphors to foster a positive and respectful image of the legal system and promote ideological transparency. They should understand how metaphors shape the understanding of legal principles and the behavior of the parties involved. They may also be tasked to explore the potential biases and limitations of certain metaphors.

### (2) Integration of Legal Language Courses in Curricula

- a. The Law Ministry may consider incorporating courses on legal language into law curricula. These courses should emphasize the critical role of metaphors in effectively communicating complex legal concepts in terms that are easily accessible to the general public. Such educational initiatives will equip aspiring

legal professionals with the necessary competence to use metaphors effectively in their professional communication.

- b. Contents of such types may also be included in curriculum of Journalism to allow aspiring journalists to report more accurately on legal matters where the choice of metaphor can frame public perception of justice or bias. Journalists who skillfully employ metaphors can demystify legal jargon, enhance public engagement and comprehension of news stories involving legal issues.
- d. An understanding of legal metaphors is also vital for students of Translation Studies for accurately rendering texts from one language and legal system into another. Since many legal metaphors are culture-specific, translators must choose or create equivalent expressions that preserve the original's intent and impact, keeping in mind cultural sensitivity, societal values and adaptation while maintaining the integrity and context of the original material where precision and understanding of legal terminology and concepts are paramount.

### (3) **Training Sessions on Metaphorical Usage**

- a. Training sessions may be developed for emerging legal professionals that emphasize the strategic use of metaphors in legal writing and oral arguments. These sessions should highlight the importance of maintaining objectivity and neutrality to positively influence public perceptions of justice. Young legal professionals should be guided on how to strategically use metaphors to reinforce the judiciary's image as a fair, balanced and impartial institution. This guidance should be part of their foundational training and continuing professional development.
- b. Law students and professionals should be made aware of the cultural and context-specific nature of metaphors. Encouraging participation in international research collaborations can deepen their understanding of how metaphors are perceived and used in different legal systems around the world. Partnering with academic institutions and international legal bodies will allow for a comparative study of metaphors, enhancing best practices and shared learnings.

## **6.5 Limitations of the Study**

The main limitation of this study is related to the generalization of the results on a larger scale. Keeping in mind the specialized nature of the corpus, the present study analyzed

a sufficiently large corpus consisting of 481,577 lexical units from the real language. However, to generalize the results to a wider population, a much larger corpus is required to be analyzed. Moreover, as discussed in Chapter 3, the selection of data was made based on a particular time frame and all the available decisions were included in the corpus. However, a few types of decisions were not available during that timeframe. Therefore, it is recommended that legal discourse be analyzed from other dimensions to ascertain the validity of results from the present study and contribute towards a more encompassing picture of the legal discourse. Additionally, the present study focused only on the analysis of the source domains without taking into consideration the target domains of these metaphors which is another noteworthy limitation of this study.

A significant limitation observed in the present study was related to methodological issues regarding metaphor identification procedures in large corpora. As metaphor cannot be identified solely through computer software and manual analysis of a large corpus is not practically possible, a two-stage hybrid approach suggested by Charteris-Black (2004) was followed combining the manual and automated search for metaphor identification by manually analyzing a selected sample from the corpus in the first phase and then searching the complete corpus through computer software AntConc (4.1.4) using the identified metaphorically used words as a start point. The results were quite satisfactory, however, during the reading of concordance lines for qualitative analysis, further examples of MUWs were found in the vicinity of the nodes which had not been observed earlier during the manual analysis of the selected sample from the corpus. They constituted 13.75% of the whole identified MUWs in the study and 1.8% of the whole corpus. It means that almost 13.75% (probably even more) of potential metaphors in the whole corpus could not be initially observed during manual analysis of the selected sample which highlights the limitation of this hybrid approach as well. Therefore, there is a requirement for a more accurate procedure for metaphor identification in large corpus through refining the software and methodological issues for more reliable results. In the meanwhile, in the absence of a completely automated and more reliable mechanism for metaphor identification, it is suggested as one improvement to the above methodology that during the qualitative analysis of concordance lines for establishing the metaphoricity of potential MUWs in context, the focus of qualitative analysis should not be restricted to the nodes only; rather all the neighbouring words of the node should also be evaluated for their possible metaphoricity.



## 6.6 Avenues for Future Research

In the light of the present research, the following recommendations are suggested for future research on metaphor through corpus analysis: -

- (1) The present study focused on the genre of legal judgements to find conceptual metaphors in legal discourse. To broaden the scope, it is suggested that future researchers may investigate other genres of legal discourse like acts, statutes, contracts, academic judicial writings etc., in the context of Pakistan to validate the present results.
- (2) The present study analyzed legal judgements of the Supreme Court of Pakistan only. Future researchers may investigate legal judgements of the lower judiciary, particularly, the district and session courts to find out the nature and frequency of metaphors in legal discourse.
- (3) In the present study, judgments of SCP were investigated without considering the types of cases. Future research may make a comparative investigation by studying different types of judgements like civil, criminal, and constitutional and determine whether any difference in nature and frequency of metaphors exist among these different types.
- (4) This study focused only on the source domain of metaphors in the discourse. It is suggested that a future study may be undertaken to focus on both the target and source domain of the metaphors found in the discourse to get a more vivid picture of the use of metaphors in the legal discourse.
- (5) Due to limitations of even the hybrid approach for metaphor identification, as discussed in detail earlier, it is suggested that, while adopting this approach, a more careful analysis of the whole concordance lines be ensured so as not to miss any additional potential metaphors (which the researcher may come across by chance) in the corpus. It is also suggested that the context size of the concordance line be kept sufficiently large to further enhance the likelihood of accidental encounters with potential MUWs around the nodes in the corpus. This may facilitate the exploration of additional MUWs in the proximity of the already identified MUWs as was done in the present study.

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## APPENDIX 'A'

## LIST OF MANUALLY IDENTIFIED MUWs

|     |             |
|-----|-------------|
| 1.  | abated      |
| 2.  | abdicate    |
| 3.  | about       |
| 4.  | above       |
| 5.  | abrasion    |
| 6.  | abridge     |
| 7.  | absent      |
| 8.  | absorb      |
| 9.  | abuse       |
| 10. | abysmal     |
| 11. | access      |
| 12. | accommodate |
| 13. | accompany   |
| 14. | acquiesced  |
| 15. | acquired    |
| 16. | across      |
| 17. | acted       |
| 18. | activism    |
| 19. | actualized  |
| 20. | actuated    |
| 21. | add         |
| 22. | addressed   |
| 23. | adduce      |
| 24. | adhere      |
| 25. | adopt       |
| 26. | advance     |
| 27. | adventurism |
| 28. | adverse     |
| 29. | adverted    |
| 30. | affix       |
| 31. | afford      |
| 32. | after       |
| 33. | against     |
| 34. | aggression  |
| 35. | ahead       |
| 36. | ailing      |
| 37. | aim         |
| 38. | akin to     |
| 39. | alien       |
| 40. | alive       |
| 41. | allow       |
| 42. | along with  |
| 43. | altar       |

|     |               |
|-----|---------------|
| 44. | ambit         |
| 45. | amenable      |
| 46. | amounted      |
| 47. | ancestry      |
| 48. | anchored      |
| 49. | ancillary     |
| 50. | angles        |
| 51. | answer        |
| 52. | anti-climax   |
| 53. | apart         |
| 54. | apex          |
| 55. | apparent      |
| 56. | appeared      |
| 57. | appended      |
| 58. | application   |
| 59. | applies       |
| 60. | approach      |
| 61. | archaeologist |
| 62. | architect     |
| 63. | arduous       |
| 64. | area          |
| 65. | arise         |
| 66. | around        |
| 67. | arrange       |
| 68. | arrayed       |
| 69. | arrest        |
| 70. | arrived       |
| 71. | arrogated     |
| 72. | articulated   |
| 73. | artificial    |
| 74. | ascend        |
| 75. | ascendency    |
| 76. | assailed      |
| 77. | assault       |
| 78. | astride       |
| 79. | at par with   |
| 80. | attach        |
| 81. | attending     |
| 82. | attracted     |
| 83. | avenue        |
| 84. | back          |
| 85. | backdoor      |
| 86. | backdrop      |

|      |             |
|------|-------------|
| 87.  | backing     |
| 88.  | backlash    |
| 89.  | backward    |
| 90.  | balance     |
| 91.  | bald        |
| 92.  | bare        |
| 93.  | bargaining  |
| 94.  | barred      |
| 95.  | based on    |
| 96.  | basis       |
| 97.  | basket      |
| 98.  | battle      |
| 99.  | bay         |
| 100. | bear        |
| 101. | bearing     |
| 102. | bedrock     |
| 103. | before      |
| 104. | behind      |
| 105. | believe     |
| 106. | below       |
| 107. | benchmark   |
| 108. | beside      |
| 109. | bestowed    |
| 110. | betray      |
| 111. | between     |
| 112. | beyond      |
| 113. | big         |
| 114. | binding     |
| 115. | birth       |
| 116. | black       |
| 117. | blast       |
| 118. | blazing     |
| 119. | blemished   |
| 120. | blends with |
| 121. | blind       |
| 122. | blinkered   |
| 123. | blocked     |
| 124. | blow        |
| 125. | body        |
| 126. | bolster     |
| 127. | bond        |
| 128. | bonus       |
| 129. | boost       |

|      |                   |
|------|-------------------|
| 130. | born              |
| 131. | borne             |
| 132. | borrowed          |
| 133. | bottom            |
| 134. | bottom line       |
| 135. | bound             |
| 136. | boundary          |
| 137. | bout              |
| 138. | brainwash         |
| 139. | brazen            |
| 140. | breach            |
| 141. | break             |
| 142. | bridge            |
| 143. | broadly           |
| 144. | broken            |
| 145. | brother           |
| 146. | brought           |
| 147. | buffer            |
| 148. | bug               |
| 149. | build             |
| 150. | bull              |
| 151. | bulwark           |
| 152. | burden            |
| 153. | buy               |
| 154. | buyer             |
| 155. | bypassing         |
| 156. | by-product        |
| 157. | calculate         |
| 158. | calibre           |
| 159. | call              |
| 160. | camouflaged       |
| 161. | campaign          |
| 162. | canon             |
| 163. | capacities        |
| 164. | capacity building |
| 165. | caps              |
| 166. | cardinal          |
| 167. | carry             |
| 168. | carve-out         |
| 169. | cast              |
| 170. | cast in stone     |
| 171. | caters to         |
| 172. | cavil to          |
| 173. | ceased            |
| 174. | centre            |
| 175. | central           |
| 176. | chain             |
| 177. | chalked           |

|      |                      |
|------|----------------------|
| 178. | challenged           |
| 179. | channels             |
| 180. | chaos                |
| 181. | charging             |
| 182. | chartered the course |
| 183. | cheap                |
| 184. | cheating             |
| 185. | check                |
| 186. | chequered            |
| 187. | circle               |
| 188. | circumvent           |
| 189. | class                |
| 190. | clean                |
| 191. | clear                |
| 192. | cloak                |
| 193. | clog                 |
| 194. | close                |
| 195. | cohesion             |
| 196. | collateral           |
| 197. | colossal             |
| 198. | colour               |
| 199. | combating            |
| 200. | combine              |
| 201. | come                 |
| 202. | complex              |
| 203. | component            |
| 204. | compounded           |
| 205. | computed             |
| 206. | comrade              |
| 207. | conceive             |
| 208. | concentration        |
| 209. | confer               |
| 210. | confine              |
| 211. | conflict             |
| 212. | confront             |
| 213. | connect              |
| 214. | consonance           |
| 215. | construct            |
| 216. | contain              |
| 217. | contemplate          |
| 218. | contest              |
| 219. | convert              |
| 220. | conviction           |
| 221. | core                 |
| 222. | corners              |
| 223. | cornerstone          |
| 224. | cosmetic             |

|      |               |
|------|---------------|
| 225. | cost          |
| 226. | count         |
| 227. | counterblast  |
| 228. | coupled with  |
| 229. | course        |
| 230. | cover         |
| 231. | crafted       |
| 232. | create        |
| 233. | credited      |
| 234. | crop up       |
| 235. | crux          |
| 236. | crystal       |
| 237. | culminate     |
| 238. | curative      |
| 239. | cured         |
| 240. | cursory       |
| 241. | curtail       |
| 242. | cut           |
| 243. | dark          |
| 244. | dead          |
| 245. | deadly        |
| 246. | deal          |
| 247. | deal with     |
| 248. | dear          |
| 249. | death         |
| 250. | decamped      |
| 251. | declare       |
| 252. | decretal      |
| 253. | dedicate      |
| 254. | defeat        |
| 255. | defence       |
| 256. | defended      |
| 257. | defrauded     |
| 258. | degree        |
| 259. | delegate      |
| 260. | deliver       |
| 261. | demolish      |
| 262. | demonstrate   |
| 263. | denote        |
| 264. | deny          |
| 265. | departed from |
| 266. | derail        |
| 267. | dereliction   |
| 268. | derive        |
| 269. | descend       |
| 270. | desk          |
| 271. | destined      |
| 272. | destroy       |

|      |                |
|------|----------------|
| 273. | detaching      |
| 274. | devastating    |
| 275. | deviate        |
| 276. | device         |
| 277. | devoid of      |
| 278. | dilate upon    |
| 279. | directly       |
| 280. | discharging    |
| 281. | disclosed      |
| 282. | discrepant     |
| 283. | discrepant     |
| 284. | dishonoured    |
| 285. | dislodge       |
| 286. | dispensed with |
| 287. | disposes of    |
| 288. | dispute over   |
| 289. | distressing    |
| 290. | ditch          |
| 291. | diverged       |
| 292. | divested       |
| 293. | divide         |
| 294. | divorce        |
| 295. | divorced       |
| 296. | doctored       |
| 297. | dole           |
| 298. | domain         |
| 299. | dominant       |
| 300. | doors          |
| 301. | down           |
| 302. | downgrade      |
| 303. | draconian      |
| 304. | drag           |
| 305. | draw           |
| 306. | drive          |
| 307. | drop           |
| 308. | dwarf          |
| 309. | dying          |
| 310. | dynamic        |
| 311. | earmarked      |
| 312. | earthly        |
| 313. | echoed         |
| 314. | element        |
| 315. | eluded         |
| 316. | emanate from   |
| 317. | embarks upon   |
| 318. | embedded in    |
| 319. | embody         |
| 320. | embraced       |

|      |               |
|------|---------------|
| 321. | emerge        |
| 322. | empirical     |
| 323. | employing     |
| 324. | empower       |
| 325. | enact         |
| 326. | encounter     |
| 327. | encroach upon |
| 328. | encumber      |
| 329. | end           |
| 330. | endeavor      |
| 331. | endorse       |
| 332. | enforcement   |
| 333. | engage?       |
| 334. | engineered    |
| 335. | enhanced      |
| 336. | enigma        |
| 337. | enjoy         |
| 338. | enlarge       |
| 339. | enrichment    |
| 340. | enshrined in  |
| 341. | entail        |
| 342. | enter/entered |
| 343. | entertain     |
| 344. | entitled      |
| 345. | entrench      |
| 346. | enumerate     |
| 347. | environment   |
| 348. | envisages     |
| 349. | episode       |
| 350. | equate        |
| 351. | erase         |
| 352. | erect         |
| 353. | erode         |
| 354. | escape        |
| 355. | essence       |
| 356. | establish     |
| 357. | evasion       |
| 358. | evolve        |
| 359. | exceeded      |
| 360. | execute       |
| 361. | execution     |
| 362. | exercise      |
| 363. | expanded      |
| 364. | expense       |
| 365. | explode       |
| 366. | expose        |
| 367. | extending     |
| 368. | extinguish    |

|      |               |
|------|---------------|
| 369. | extract       |
| 370. | eye           |
| 371. | fabric        |
| 372. | fabricated    |
| 373. | face          |
| 374. | faction       |
| 375. | fade          |
| 376. | failed        |
| 377. | fair          |
| 378. | faith         |
| 379. | fall          |
| 380. | fall          |
| 381. | fall /falling |
| 382. | fallow        |
| 383. | fanciful      |
| 384. | far afield    |
| 385. | fast          |
| 386. | fatal         |
| 387. | fate          |
| 388. | favour        |
| 389. | feed          |
| 390. | fetters       |
| 391. | field         |
| 392. | find          |
| 393. | fine tuning   |
| 394. | fit           |
| 395. | fix           |
| 396. | flair         |
| 397. | floating      |
| 398. | floodgates    |
| 399. | flows         |
| 400. | flux          |
| 401. | followed      |
| 402. | force         |
| 403. | forged        |
| 404. | formula       |
| 405. | formulation   |
| 406. | fortified     |
| 407. | forward,      |
| 408. | foundation    |
| 409. | fractured     |
| 410. | frame         |
| 411. | framework     |
| 412. | freezes       |
| 413. | fresh         |
| 414. | friction      |
| 415. | from          |
| 416. | front         |

|      |               |
|------|---------------|
| 417. | full          |
| 418. | furnish       |
| 419. | further       |
| 420. | gains         |
| 421. | gap           |
| 422. | get           |
| 423. | give          |
| 424. | glaring       |
| 425. | globe         |
| 426. | go            |
| 427. | govern        |
| 428. | grade         |
| 429. | grasp         |
| 430. | grave         |
| 431. | gravity       |
| 432. | grey          |
| 433. | grind         |
| 434. | gripped       |
| 435. | ground        |
| 436. | growth        |
| 437. | guard/guarded |
| 438. | guise         |
| 439. | hailing       |
| 440. | hallmark      |
| 441. | hamper        |
| 442. | hand          |
| 443. | handle        |
| 444. | hang          |
| 445. | harmony       |
| 446. | harvesting    |
| 447. | healthy       |
| 448. | hear          |
| 449. | hearsay       |
| 450. | heart         |
| 451. | heat          |
| 452. | heaven        |
| 453. | heavy         |
| 454. | heel          |
| 455. | hefty         |
| 456. | hegemony      |
| 457. | heightened    |
| 458. | hell          |
| 459. | helm          |
| 460. | high          |
| 461. | hindrance     |
| 462. | hit           |
| 463. | hold          |
| 464. | hold          |

|      |                |
|------|----------------|
| 465. | home           |
| 466. | hop            |
| 467. | horse          |
| 468. | hostile        |
| 469. | hound          |
| 470. | huge           |
| 471. | hurled         |
| 472. | hurt           |
| 473. | iceberg        |
| 474. | ill            |
| 475. | image          |
| 476. | imbued         |
| 477. | immune         |
| 478. | impair         |
| 479. | impeded        |
| 480. | impediment     |
| 481. | impinges       |
| 482. | import         |
| 483. | inception      |
| 484. | inextricable   |
| 485. | inferior       |
| 486. | infirmity      |
| 487. | inflexible     |
| 488. | inflict        |
| 489. | infrastructure |
| 490. | infringe       |
| 491. | ingredients    |
| 492. | injury         |
| 493. | instrument     |
| 494. | insulate       |
| 495. | insurmountable |
| 496. | intact         |
| 497. | intruders      |
| 498. | invite         |
| 499. | invoke         |
| 500. | iron hands     |
| 501. | irreversible   |
| 502. | jacketed       |
| 503. | jolt           |
| 504. | jump           |
| 505. | junction       |
| 506. | juncture       |
| 507. | kept           |
| 508. | key aspects    |
| 509. | knockout       |
| 510. | knot           |
| 511. | labelled       |
| 512. | laid           |

|      |               |
|------|---------------|
| 513. | landed        |
| 514. | landmark      |
| 515. | launched      |
| 516. | laundering    |
| 517. | leads         |
| 518. | leak          |
| 519. | lean          |
| 520. | leap          |
| 521. | leave         |
| 522. | length        |
| 523. | let off       |
| 524. | lethal        |
| 525. | level         |
| 526. | liberal       |
| 527. | life          |
| 528. | lift          |
| 529. | light         |
| 530. | limb          |
| 531. | limbo         |
| 532. | limit         |
| 533. | line          |
| 534. | line of fire  |
| 535. | lingered      |
| 536. | link          |
| 537. | linkspan      |
| 538. | live          |
| 539. | lodged        |
| 540. | look          |
| 541. | loopholes     |
| 542. | lose sight of |
| 543. | lower         |
| 544. | machine       |
| 545. | machinery     |
| 546. | magnitude     |
| 547. | mainstay      |
| 548. | maintains     |
| 549. | majesty       |
| 550. | make          |
| 551. | manipulated   |
| 552. | map           |
| 553. | margin        |
| 554. | mark          |
| 555. | material      |
| 556. | measures      |
| 557. | mechanics     |
| 558. | mechanism     |
| 559. | meet          |
| 560. | melt          |

|      |             |
|------|-------------|
| 561. | mercy       |
| 562. | mercy       |
| 563. | middle      |
| 564. | milestone   |
| 565. | militates   |
| 566. | mill        |
| 567. | mind        |
| 568. | miscarriage |
| 569. | mischief    |
| 570. | misconceive |
| 571. | mismatch    |
| 572. | misplaced   |
| 573. | mix         |
| 574. | mockery     |
| 575. | motion      |
| 576. | mount       |
| 577. | move        |
| 578. | muddied     |
| 579. | muffling    |
| 580. | mutated     |
| 581. | mutation    |
| 582. | myopic      |
| 583. | nailed      |
| 584. | narrow      |
| 585. | navigated   |
| 586. | net         |
| 587. | nexus       |
| 588. | nightmares  |
| 589. | note        |
| 590. | nucleus     |
| 591. | obliquely   |
| 592. | obliterate  |
| 593. | oblivion    |
| 594. | obstruct    |
| 595. | obviate     |
| 596. | occupy      |
| 597. | odd         |
| 598. | off         |
| 599. | offence     |
| 600. | onus        |
| 601. | open        |
| 602. | operate     |
| 603. | operation   |
| 604. | ordained    |
| 605. | organs      |
| 606. | orientation |
| 607. | out         |
| 608. | outcome     |

|      |             |
|------|-------------|
| 609. | outlets     |
| 610. | outline     |
| 611. | outset      |
| 612. | outside     |
| 613. | outweigh    |
| 614. | over        |
| 615. | overcome    |
| 616. | overlooked  |
| 617. | overreach   |
| 618. | override    |
| 619. | oversight   |
| 620. | overstepped |
| 621. | overture    |
| 622. | overturned  |
| 623. | package     |
| 624. | pale        |
| 625. | parallel    |
| 626. | parameters  |
| 627. | paramount   |
| 628. | parent      |
| 629. | parlance    |
| 630. | pass        |
| 631. | passage     |
| 632. | paternal    |
| 633. | path        |
| 634. | peak        |
| 635. | pendulum    |
| 636. | penny       |
| 637. | permeated   |
| 638. | picked      |
| 639. | piece       |
| 640. | piecemeal   |
| 641. | pillar      |
| 642. | pith        |
| 643. | pivot       |
| 644. | place       |
| 645. | plain       |
| 646. | plane       |
| 647. | planks      |
| 648. | planted     |
| 649. | play        |
| 650. | plug        |
| 651. | ply         |
| 652. | pocketed    |
| 653. | point       |
| 654. | pollute     |
| 655. | pool        |
| 656. | poor        |

|      |            |
|------|------------|
| 657. | posed      |
| 658. | position   |
| 659. | positive   |
| 660. | possess    |
| 661. | possession |
| 662. | pouring    |
| 663. | power      |
| 664. | practices  |
| 665. | pray       |
| 666. | pray       |
| 667. | premature  |
| 668. | prevail    |
| 669. | proceed    |
| 670. | produce    |
| 671. | profligate |
| 672. | progeny    |
| 673. | progress   |
| 674. | prolong    |
| 675. | prompt     |
| 676. | propagate  |
| 677. | protect    |
| 678. | provide    |
| 679. | pure       |
| 680. | put        |
| 681. | quantum    |
| 682. | raised     |
| 683. | reach      |
| 684. | realm      |
| 685. | recital    |
| 686. | recourse   |
| 687. | recycling  |
| 688. | reflect    |
| 689. | regime     |
| 690. | regime     |
| 691. | relief     |
| 692. | remedy     |
| 693. | remit      |
| 694. | render     |
| 695. | rendition  |
| 696. | repair     |
| 697. | replaced   |
| 698. | reproduce  |
| 699. | reserve    |
| 700. | resigned   |
| 701. | resonance  |
| 702. | rests on   |
| 703. | resume     |
| 704. | retrace    |

|      |             |
|------|-------------|
| 705. | return      |
| 706. | reverse     |
| 707. | revolved    |
| 708. | rhyme       |
| 709. | right       |
| 710. | rigor       |
| 711. | ring        |
| 712. | rise        |
| 713. | ritual      |
| 714. | rival       |
| 715. | robust      |
| 716. | rock-bottom |
| 717. | rocks       |
| 718. | role        |
| 719. | room        |
| 720. | root        |
| 721. | rope        |
| 722. | round       |
| 723. | rule        |
| 724. | run         |
| 725. | rung        |
| 726. | rushed      |
| 727. | sacred      |
| 728. | sacrifice   |
| 729. | saddle      |
| 730. | safe exit   |
| 731. | safeguard,  |
| 732. | sanctity    |
| 733. | sanctuaries |
| 734. | save        |
| 735. | scanning    |
| 736. | scant       |
| 737. | scapegoat   |
| 738. | scar        |
| 739. | scary       |
| 740. | scene       |
| 741. | scheme      |
| 742. | scope       |
| 743. | score       |
| 744. | screen      |
| 745. | seal        |
| 746. | secured     |
| 747. | seize       |
| 748. | serve       |
| 749. | set         |
| 750. | set aside   |
| 751. | settle      |
| 752. | shackled    |

|      |                       |
|------|-----------------------|
| 753. | shadow                |
| 754. | shake                 |
| 755. | shape                 |
| 756. | shed some light       |
| 757. | shield                |
| 758. | short-cut             |
| 759. | shot                  |
| 760. | shoulders             |
| 761. | show                  |
| 762. | shrouded              |
| 763. | shut                  |
| 764. | sickening             |
| 765. | side-lines /sidelines |
| 766. | sidestepping          |
| 767. | sight                 |
| 768. | silent                |
| 769. | simple                |
| 770. | sit                   |
| 771. | slip away             |
| 772. | slipshod              |
| 773. | slope                 |
| 774. | smear                 |
| 775. | smooth                |
| 776. | soared                |
| 777. | solemn                |
| 778. | solvent               |
| 779. | sordid                |
| 780. | sort                  |
| 781. | sound                 |
| 782. | source                |
| 783. | souvenir              |
| 784. | sowed                 |
| 785. | space                 |
| 786. | spanned over          |
| 787. | spark                 |
| 788. | spate                 |
| 789. | speak                 |
| 790. | spearhead             |
| 791. | species               |
| 792. | spectator             |
| 793. | spectrum              |
| 794. | spell                 |
| 795. | spend                 |
| 796. | sphere                |
| 797. | spirit                |
| 798. | spot                  |
| 799. | spread                |
| 800. | spring                |

|      |                |
|------|----------------|
| 801. | squarely       |
| 802. | stabbed        |
| 803. | stage          |
| 804. | stagnation     |
| 805. | stained        |
| 806. | stamp          |
| 807. | stance         |
| 808. | stand          |
| 809. | standalone     |
| 810. | star           |
| 811. | starting point |
| 812. | state          |
| 813. | stationed      |
| 814. | stayed         |
| 815. | stem           |
| 816. | step down      |
| 817. | step in        |
| 818. | sterile        |
| 819. | sterile        |
| 820. | stigma         |
| 821. | stillborn      |
| 822. | stinks         |
| 823. | stipulated     |
| 824. | stir           |
| 825. | stock          |
| 826. | stopgap        |
| 827. | stories        |
| 828. | storm          |
| 829. | story          |
| 830. | straight       |
| 831. | straightaway   |
| 832. | strategy       |
| 833. | straw          |
| 834. | stream         |
| 835. | strength       |
| 836. | stress         |
| 837. | stretch        |
| 838. | strict proof   |
| 839. | strike         |
| 840. | stripe         |
| 841. | structural     |
| 842. | structure      |
| 843. | stumble        |
| 844. | subjected      |
| 845. | subordinate    |
| 846. | substance      |
| 847. | succumbed to   |
| 848. | sum            |



|      |                |
|------|----------------|
| 849. | superior       |
| 850. | support        |
| 851. | supreme        |
| 852. | surface        |
| 853. | surmises       |
| 854. | surrender      |
| 855. | surrounding    |
| 856. | survive        |
| 857. | suspend        |
| 858. | sustained      |
| 859. | swallowing up  |
| 860. | swap           |
| 861. | swayed         |
| 862. | swell          |
| 863. | swing          |
| 864. | symptomatic    |
| 865. | synchronize    |
| 866. | system         |
| 867. | tail           |
| 868. | taints         |
| 869. | take exception |
| 870. | tandem         |
| 871. | tantamount to  |
| 872. | target         |
| 873. | taste          |
| 874. | team           |
| 875. | terminate      |
| 876. | thaw           |
| 877. | theatre        |
| 878. | thing          |
| 879. | thoroughfare   |
| 880. | thrash         |
| 881. | threat         |
| 882. | threshold      |
| 883. | thrive         |
| 884. | through        |
| 885. | throw          |
| 886. | tie            |
| 887. | tiers          |
| 888. | tightrope      |
| 889. | till           |
| 890. | tip off        |
| 891. | tool           |
| 892. | top            |
| 893. | touching       |
| 894. | touchstone     |
| 895. | trace          |
| 896. | track          |

|      |               |
|------|---------------|
| 897. | trail         |
| 898. | trajectory    |
| 899. | trample       |
| 900. | transacted    |
| 901. | transform     |
| 902. | transgressive |
| 903. | translate     |
| 904. | transparency  |
| 905. | transparent   |
| 906. | transpire     |
| 907. | transported   |
| 908. | trap          |
| 909. | trauma        |
| 910. | travel        |
| 911. | treacherous   |
| 912. | tread         |
| 913. | treasure      |
| 914. | tree          |
| 915. | tremor        |
| 916. | trespass      |
| 917. | tricks        |
| 918. | tried by      |
| 919. | triggered     |
| 920. | trophy        |
| 921. | trump up      |
| 922. | trust         |
| 923. | tune          |
| 924. | turn          |
| 925. | turn around   |
| 926. | turned away   |
| 927. | twist         |
| 928. | umpire        |
| 929. | unabated      |
| 930. | unblemished   |
| 931. | unbridled     |
| 932. | under         |
| 933. | underline     |
| 934. | undermine     |
| 935. | underpinning  |
| 936. | underscore    |
| 937. | undeterred    |
| 938. | unearthed     |
| 939. | unequivocal   |
| 940. | unfold        |
| 941. | unimpeachable |
| 942. | unimpressed   |
| 943. | unison        |
| 944. | unleash       |

|      |                    |
|------|--------------------|
| 945. | unnerve            |
| 946. | unqualified        |
| 947. | unravel            |
| 948. | unrealized         |
| 949. | unruly             |
| 950. | untouched          |
| 951. | untoward situation |
| 952. | unveil             |
| 953. | up                 |
| 954. | uphold             |
| 955. | upload             |
| 956. | upon               |
| 957. | upper              |
| 958. | upright            |
| 959. | uproar             |
| 960. | upshot             |
| 961. | vacuum             |
| 962. | vagueness          |
| 963. | valuable           |
| 964. | value              |
| 965. | vanish             |
| 966. | vast               |
| 967. | vein               |
| 968. | venture            |
| 969. | venue              |
| 970. | vested             |
| 971. | via                |
| 972. | victim             |
| 973. | victory            |
| 974. | view               |
| 975. | vigilance          |
| 976. | vigour             |
| 977. | virtue             |
| 978. | vision             |
| 979. | visited            |
| 980. | visualized         |
| 981. | void               |
| 982. | volumes            |
| 983. | vouch              |
| 984. | vulnerable         |
| 985. | walk               |
| 986. | walls              |
| 987. | warrant            |
| 988. | washed             |
| 989. | waste              |
| 990. | water              |
| 991. | wave               |
| 992. | way                |

|       |              |
|-------|--------------|
| 993.  | weak         |
| 994.  | weaken       |
| 995.  | weapon       |
| 996.  | weave        |
| 997.  | web          |
| 998.  | wedded       |
| 999.  | wedge        |
| 1000. | weighing     |
| 1001. | weight       |
| 1002. | whisked away |
| 1003. | white        |

|       |            |
|-------|------------|
| 1004. | whole      |
| 1005. | wide       |
| 1006. | win        |
| 1007. | windfall   |
| 1008. | withdrawal |
| 1009. | wither     |
| 1010. | within     |
| 1011. | worked out |
| 1012. | worth      |
| 1013. | worthy     |
| 1014. | wrap       |

|       |              |
|-------|--------------|
| 1015. | wreckage     |
| 1016. | written      |
| 1017. | yardstick    |
| 1018. | yield        |
| 1019. | zone         |
| 1020. | resurrect    |
| 1021. | quintessence |
| 1022. | Propel       |
| 1023. | pedestal     |
| 1024. |              |
| 1025. |              |

## APPENDIX 'B'

## LIST OF ANALYZED SCP JUDGEMENTS

| <b>Serial No</b> | <b>Case No</b>              | <b>Subject</b>   | <b>Judgment Date</b> | <b>SC Citation(s)</b> |
|------------------|-----------------------------|--|----------------------|-----------------------|
| 1.               | C.A.1546/2019               | Service/Pension  | 27-01-2021           | 2021 SCP 313          |
| 2.               | C.R.P.758/2019              | Land Acquisition/.   | 14-10-2021           | 2021 SCP 303          |
| 3.               | J.P.417/2019                | Life Imprisonment/Sessions   | 29-09-2021           | 2021 SCP 282          |
| 4.               | C.P.L.A.3637/2019           | NAB/Bail After Arrest  | 16-06-2021           | 2021 SCP 267          |
| 5.               | C.P.L.A.3772/2019           | Suit for Possession/.  | 12-08-2021           | 2021 SCP 254          |
| 6.               | C.A.1496/2019               | Service/.  | 12-07-2021           | 2021 SCP 258          |
| 7.               | C.A.1280/2019               | Unit for recovery  | 24-08-2021           | 2021 SCP 249          |
| 8.               | C.A.1547/2019               | Arbitration/Award  | 17-08-2021           | 2021 SCP 243          |
| 9.               | C.P.L.A.805-L/2019          | Against Interim Order/.  | 09-03-2021           | 2021 SCP 221          |
| 10.              | C.A.1499/2019               | Service/Against Reinstatement into Service                             | 08-07-2021           | 2021 SCP 204          |
| 11.              | C.P.L.A.1057/2019           | banking/Recovery Suits   | 07-07-2021           | 2021 SCP 203          |
| 12.              | C.P.48/2019                 | U/A 184(3)/Others  | 25-03-2021           | 2021 SCP 202          |
| 13.              | C.P.L.A.4570/2019           | Writ Petition/Harassment   | 05-07-2021           | 2021 SCP 199          |
| 14.              | C.A.1767/2019               | Suit for specific performance/Agreement to sell                        | 27-04-2021           | 2021 SCP 180          |
| 15.              | C.A.1477/2019               | Service/.  | 09-06-2021           | 2021 SCP 164          |
| 16.              | C.P.L.A.2597/2019           | Suit for specific performance/.  | 08-06-2021           | 2021 SCP 157          |
| 17.              | C.A.1295/2019               | Suit for Declaration/Possession  | 22-02-2021           | 2021 SCP 140          |
| 18.              | C.P.L.A.2014-L/2019<br>2014 | Banking/Execution/Auction Matters                                      | 09-03-2021           | 2021 SCP 141          |
| 19.              | C.A.1385/2019               | Service/Against Reinstatement into Service                             | 31-03-2021           | 2021 SCP 146          |
| 20.              | C.P.L.A.1530/2019           | Family/.   | 16-04-2021           | 2021 SCP 133          |
| 21.              | C.A.1989/2019               | Service/Others   | 29-04-2021           | 2021 SCP 129          |
| 22.              | C.A.65-K/2019               | Labour Cases/Wages, Bonus, Adhoc, Causal, Daily Wages & Regularisation | 11-03-2021           | 2021 SCP 123          |
| 23.              | C.A.1399/2019               | Election-Provincial Assembly/Section 78 and 83 of ROPA                 | 16-03-2021           | 2021 SCP 121          |
| 24.              | C.P.L.A.510/2019            | Suit for specific performance/Agreement to sell                        | 01-01-2021           | 2021 SCP 113          |
| 25.              | C.P.L.A.1290-               | Writ Petition/.  | 15-04-2021           | 2021 SCP 106          |

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| 26. | C.A.17-L/2019        | Banking/Execution/Auction Matters                       | 16-03-2021 | 2021 SCP 91  |
| 27. | C.P.L.A.2547/2019    | Unit for specific performance/Agreement to sell         | 10-03-2021 | 2021 SCP 87  |
| 28. | C.P.L.A.446-L/2019   | Writ Petition/Direction                                 | 27-01-2021 | 2021 SCP 80  |
| 29. | CrI.P.L.A.742-L/2019 | Life Imprisonment                                       | 21-01-2021 | 2021 SCP 78  |
| 30. | C.P.L.A.4428/2019    | Service/Correction in Date of Birth                     | 16-02-2021 | 2021 SCP 61  |
| 31. | C.P.L.A.1975/2019    | Suit for Declaration/.                                  | 02-02-2021 | 2021 SCP 121 |
| 32. | CrI.A.475/2019       | Life Imprisonment/Anti-Terrorism Act                    | 30-09-2020 | 2021 SCP 113 |
| 33. | C.P.L.A.1567-L/2019  | Service/Against Reinstatement into Service              | 19-11-2020 | 2021 SCP 106 |
| 34. | CrI.A.630/2019       | Other Sentences   | 28-10-2020 | 2021 SCP 91  |
| 35. | CrI.M.A.1659/2019    | Miscellaneous   | 24-11-2020 | 2021 SCP 87  |
| 36. | C.P.L.A.1369-L/2019  | Writ Petition/.   | 24-12-2020 | 2021 SCP 80  |
| 37. | CrI.A.635/2019       | Life Imprisonment/Anti-Terrorism Act                    | 22-10-2020 | 2021 SCP 78  |
| 38. | C.P.L.A.659/2019     | Suit for Declaration/Hiba-ownership                     | 10-12-2020 | 2021 SCP 61  |
| 39. | CrI.P.L.A.69-Q/2019  | Sentence/.  | 09-09-2020 | 2020 SCP 271 |
| 40. | CrI.P.L.A.1143/2019  | Sentence Already Undergone                              | 16-10-2020 | 2020 SCP 272 |
| 41. | C.A.675/2019         | Service/.   | 15-05-2020 | 2020 SCP 248 |
| 42. | C.P.17/2019          | U/A 184(3)  | 04-11-2020 | 2020 SCP 246 |
| 43. | C.P.17/2019          | U/A 184(3)  | 04-11-2020 | 2020 SCP 247 |
| 44. | J.P.348/2019         | Other Sentences/6 Years R.I.                            | 27-10-2020 | 2020 SCP 246 |
| 45. | C.A.1076/2019        | Service/Termination from Service                        | 05-12-2019 | 2020 SCP 243 |
| 46. | C.P.17/2019          | U/A 184(3)  | 19-06-2020 | 2020 SCP 234 |
| 47. | C.P.L.A.686-K/2019   | Banking/Execution/Auction Matters                       | 08-09-2020 | 2020 SCP 230 |
| 48. | C.M.A.7923/2019      | Miscellaneous   | 20-10-2020 | 2020 SCP 229 |
| 49. | C.A.171/2019         | Election-Provincial Assembly/Illegal & Corrupt Practice | 11-12-2019 | 2020 SCP 215 |
| 50. | CrI.P.L.A.534/2019   | Life Imprisonment/Sessions                              | 17-09-2020 | 2020 SCP 214 |
| 51. | C.P.L.A.3952/2019    | Judicial Service/Reinstatement                          | 09-06-2020 | 2020 SCP 193 |
| 52. | C.P.L.A.4185/2019    | Service/Removal from Service                            | 20-08-2020 | 2020 SCP 189 |
| 53. | C.P.L.A.800-P/2019   | Writ Petition/Others                                    | 28-05-2020 | 2020 SCP 181 |
| 54. | C.R.P.104-L/2019     | Application under section                               | 18-08-2020 | 2020 SCP 177 |

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| 55. | C.P.L.A.4188/2019     | Writ Petition   | 05-08-2020 | 2020 SCP 173 |
| 56. | C.P.L.A.44/2019       | Transfer of cases/From one Court to another Court within District | 27-07-2020 | 2020 SCP 165 |
| 57. | C.A.1400/2019         | Election-Local Bodies/Others                                      | 11-03-2020 | 2020 SCP 160 |
| 58. | CrI.P.L.A.849/2019    | Other Sentences/5 Years R.I.                                      | 10-06-2020 | 2020 SCP 154 |
| 59. | C.P.L.A.2243-L/2019   | NAB/Bail  | 17-03-2020 | 2020 SC 145  |
| 60. | C.P.L.A.4129/2019     | Guardian and Ward/Custody of Minor                                | 17-07-2020 | 2020 SC 143  |
| 61. | CrI.P.L.A.1485-L/2019 | Bail Before Arrest  | 07-07-2020 | 2020 SCP 142 |
| 62. | CrI.P.L.A.18/2019     | Other Sentences/6 Years R.I.                                      | 01-07-2020 | 2020 SCP 137 |
| 63. | CrI.P.L.A.230/2019    | Transfer of cases/.   | 30-06-2020 | 2020 SCP 129 |
| 64. | CrI.P.L.A.860/2019    | NAB/Sentence  | 12-06-2020 | 2020 SCP 132 |
| 65. | CrI.P.L.A.1431/2019   | Bail After Arrest   | 07-05-2020 | 2020 SCP 134 |
| 66. | C.A.2063/2019         | Service/Against reduction of penalty                              | 27-04-2020 | 2020 SCP 124 |
| 67. | C.P.17/2019           | U/A 184(3)  | 19-06-2020 | 2020 SCP 118 |
| 68. | CrI.P.L.A.1145-L/2019 | Bail Before Arrest  | 02-06-2020 | 2020 SCP 117 |
| 69. | CrI.P.L.A.1205/2019   | Other Sentences/10 Years R.I.                                     | 04-05-2020 | 2020 SCP 111 |
| 70. | CrI.P.L.A.574/2019    | Other Sentences/10 Years R.I.                                     | 05-05-2020 | 2020 SCP 112 |
| 71. | C.P.L.A.1965/2019     | Insurance Claims  | 09-10-2019 | 2020 SCP 98  |
| 72. | C.A.2056/2019         | Service/Appointments  | 09-04-2020 | 2020 SCP 102 |
| 73. | C.P.L.A.449/2019      | Writ Petition/.   | 07-01-2020 | 2020 SCP 103 |
| 74. | C.A.1736/2019         | Service/Dismissal from Service                                    | 18-02-2020 | 2020 SCP 104 |
| 75. | CrI.P.L.A.1246/2019   | Miscellaneous   | 16-04-2020 | 2020 SCP 85  |
| 76. | J.P.324/2019          | Other Sentences/10 Years R.I.                                     | 17-04-2020 | 2020 SCP 86  |
| 77. | CrI.M.A.130-K/2019    | Restoration   | 20-03-2020 | 2020 SCP 73  |
| 78. | C.P.L.A.4178/2019     | Writ Petition/.   | 05-12-2019 | 2020 SCP 71  |
| 79. | C.P.L.A.3213-L/2019   | NAB/Bail Before Arrest  | 14-04-2020 | 2020 SCP 68  |
| 80. | CrI.P.L.A.1420-L/2019 | Bail Before Arrest  | 11-02-2020 | 2020 SCP 61  |
| 81. | C.A.1729/2019         | Writ Petition   | 28-01-2020 | 2020 SCP 59  |
| 82. | C.P.L.A.4178/2019     | Writ Petition/.   | 05-12-2019 | 2020 SCP 60  |
| 83. | C.P.L.A.154/2019      | Family/Recovery of Dower Amount                                   | 07-02-2020 | 2020 SCP 47  |
| 84. | J.P.431/2019          | Other Sentences/10 Years R.I.                                     | 25-02-2020 | 2020 SCP 48  |

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| 85.  | C.R.P.537/2019        | Banking/Recovery Suits   | 19-11-2019 | 2020 SCP 33  |
| 86.  | C.A.1618/2019         | Service/Against Reinstatement into Service                         | 06-01-2020 | 2020 SCP 30  |
| 87.  | C.A.621/2019          | NAB/Cancellation of Bail   | 08-01-2020 | 2020 SCP 25  |
| 88.  | CrI.P.L.A.1271/2019   | Bail After Arrest  | 16-01-2020 | 2020 SCP 22  |
| 89.  | CrI.P.L.A.1280/2019   | Bail After Arrest  | 15-01-2020 | 2020 SCP 23  |
| 90.  | CrI.P.L.A.1672-L/2019 | Bail After Arrest  | 15-01-2020 | 2020 SCP 24  |
| 91.  | CrI.P.L.A.370/2019    | Other Sentences/4 Years & 6 Months R.I.                            | 09-01-2020 | 2020 SCP 19  |
| 92.  | CrI.P.L.A.79-K/2019   | NAB/Others   | 02-01-2020 | 2020 SCP 17  |
| 93.  | CrI.A.120/2019        | Other Sentences/3 Years R.I.                                       | 10-01-2020 | 2020 SCP 16  |
| 94.  | C.P.L.A.3855/2019     | Customs/Confiscation of vehicle                                    | 29-11-2019 | 2020 SCP 2   |
| 95.  | C.P.L.A.1028/2019     | Rent/Ejectment/Default in Payment of Rent                          | 21-11-2019 | 2020 SCP 4   |
| 96.  | C.P.L.A.1444/2019     | Suit for specific performance                                      | 19-09-2019 | 2020 SCP 8   |
| 97.  | C.P.L.A.3985/2019     | Writ Petition  | 20-11-2019 | 2020 SCP 9   |
| 98.  | C.P.L.A.3224/2019     | Tax/.  | 29-10-2019 | 2020 SCP 11  |
| 99.  | CrI.P.L.A.490/2019    | Other Sentences/3 Years R.I.                                       | 09-10-2019 | 2020 SCP 13  |
| 100. | C.P.L.A.3846/2019     | NAB/Bail Before Arrest   | 17-12-2019 | 2019 SCP 260 |
| 101. | C.P.L.A.549-K/2019    | NAB/Bail After Arrest  | 18-12-2019 | 2019 SCP 261 |
| 102. | CrI.P.L.A.231-K/2019  | Bail Before Arrest   | 26-12-2019 | 2019 SCP 262 |
| 103. | CrI.P.L.A.197-K/2019  | Bail Before Arrest   | 05-12-2019 | 2019 SCP 258 |
| 104. | CrI.P.L.A.733/2019    | Other Sentences/4 Years & 6 Months R.I.                            | 18-12-2019 | 2019 SCP 259 |
| 105. | C.P.39/2019           | U/A 184(3)   | 16-12-2019 | 2019 SCP 257 |
| 106. | C.P.L.A.302/2019      | AB/Bail After Arrest   | 04-12-2019 | 2019 SCP 250 |
| 107. | C.P.L.A.4029/2019     | NAB/Bail Before Arrest   | 28-11-2019 | 2019 SCP 241 |
| 108. | C.P.39/2019           | U/A 184(3)   | 28-11-2019 | 2019 SCP 257 |
| 109. | C.P.39/2019           | /A 184(3)  | 26-11-2019 | 2019 SCP 239 |
| 110. | C.P.L.A.4029/2019     | NAB/Bail Before Arrest   | 28-11-2019 | 2019 SCP 241 |
| 111. | C.P.31/2019           | U/A 186(A)/Islamabad High Court, Islamabad to any other High Court | 16-11-2019 | 2019 SCP 235 |
| 112. | CrI.A.95/2019         | Death Sentence/Anti-Terrorism Act                                  | 30-10-2019 | 2019 SCP 231 |
| 113. | CrI.P.L.A.1004/2019   | Cancellation of Bail   | 22-10-2019 | 2019 SCP 227 |
| 114. | CrI.M.A.1404/2019     | Permission to file and argue/Others                                | 16-10-2019 | 2019 SCP 223 |
| 115. | CrI.A.282/2019        | Cancellation of Bail   | 28-09-2019 | 2019 SCP 211 |
| 116. | C.P.18/2019           | U/A 186(A)/Others  | 27-09-2019 | 2019 SCP 209 |
| 117. | CrI.P.L.A.716/2019    | Bail After Arrest  | 16-09-2019 | 2019 SCP 206 |
| 118. | CrI.A.266/2019        | NAB/Sentence   | 07-08-2019 | 2019 SCP 200 |

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| 119. | C.A.1029/2019       | Tax/Custom Duty   | 14-09-2019 | 2019 SCP 204 |
| 120. | Crl.M.A.512/2019    | permission to file and argue                            | 14-09-2019 | 2019 SCP 205 |
| 121. | C.P.L.A.381-K/2019  | Banking/Execution/Auction Matters                       | 24-08-2019 | 2019 SCP 190 |
| 122. | C.A.188/2019        | Election-Provincial Assembly/Eligibility of Candidature | 24-08-2019 | 2019 SCP 185 |
| 123. | C.P.10/2019         | U/A 184(3)  | 23-08-2019 | 2019 SCP 192 |
| 124. | Crl.P.L.A.562/2019  | Cancellation of Bail                                    | 25-07-2019 | 2019 SCP 194 |
| 125. | Crl.A.103/2019      | Life Imprisonment/Anti-Terrorism Act                    | 11-07-2019 | 2019 SCP 183 |
| 126. | Crl.P.L.A.533/2019  | Bail After Arrest                                       | 31-07-2019 | 2019 SCP 179 |
| 127. | C.P.L.A.478/2019    | Rent/Ejectment  | 22-02-2019 | 2019 SCP 175 |
| 128. | C.M.A.230/2019      | U/A 184(3)  | 02-07-2019 | 2019 SCP 156 |
| 129. | C.M.A.230/2019      | U/A 184(3)  | 10-06-2019 | 2019 SCP 135 |
| 130. | C.P.L.A.1195/2019   | Writ Petition   | 23-05-2019 | 2019 SCP 132 |
| 131. | Crl.A.94/2019       | Other Sentences/6 Years R.I.                            | 08-04-2019 | 2019 SCP 84  |
| 132. | Crl.A.94/2019       | Other Sentences/6 Years R.I.                            | 08-04-2019 | 2019 SCP 85  |
| 133. | Crl.M.A.183/2019    | Miscellaneous   | 22-02-2019 | 2019 SCP 83  |
| 134. | C.P.L.A.639/2019    | NAB/Suspension of Sentence                              | 26-03-2019 | 2019 SCP 69  |
| 135. | Crl.M.A.200/2019    | Miscellaneous   | 04-03-2019 | 2019 SCP 66  |
| 136. | Crl.M.A.183/2019    | Miscellaneous   | 22-02-2019 | 2019 SCP 28  |
| 137. | C.P.L.A.407-K/2019  | Service/Against Reinstatement into Service              | 24-01-2022 | 2022 SCP 20  |
| 138. | C.P.L.A.1026-L/2019 | Tax/Sales Tax Act                                       | 25-01-2022 | 2022 SCP 25  |
| 139. | C.A.10-K/2019       | Service/Others  | 07-02-2022 | 2022 SCP 58  |