

A Corpus-Based Analysis of Metaphors in the Judgements of the Supreme Court of Pakistan

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Abstract

This paper explores the frequency and types of metaphors in the judgments of the Supreme Court of 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 triangulation 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 and types of metaphors in COLD. As a result, it was found that 13.60% of COLD consisted of metaphors, with prepositions making the dominant word class of all metaphorically used words, followed by verbs and nouns. The prominent source domains identified in COLD included ‘physical objects’, ‘space’, ‘humans’ and ‘journeys’, along with several other minor domains. Several of the findings are consistent with previous research on the topic.

Keywords: metaphor, legal discourse, CMT, corpus analysis, corpus linguistics

Introduction

Conceptual Metaphor Theory (CMT) of Lakoff and Johnson (1980; 2003) revolutionized views about metaphor by rejecting 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. Lakoff and Johnson (1980, p. 454) claim that metaphor is pervasive in all aspects of life, “not just in language, but in thought and action as well”. After the seminal work of Lakoff and Johnson (1980) that led to the CMT and highlighted the importance of metaphor in language and thought, a large body of research has been undertaken towards identifying the frequency, types and role of metaphors in discourse in almost all fields of knowledge. These studies have overwhelmingly confirmed the pervasiveness of metaphor in all types of discourse including scientific, academic, journalistic, economic and fictional discourses to a varying degree, validating the claims of CMT that metaphor is not just a stylistic device used for embellishment only in poetic and rhetorical writings, but is pervasive to varying degree in all sorts of scientific and philosophical discourse and plays an important communicative, persuasive and ideological role.

Statement of the Problem

In this backdrop, metaphor is now regarded as one of the fundamental components of language rather than a superficial embellishment. However, CMT has been criticised for its claims of the pervasiveness of metaphor in discourse without any empirical evidence and for offering decontextualized and even artificially constructed examples as proof for its claims (Kövecses 2009; Gibbs, 2011). Deignan (2005) goes to the extent that even the classical account of metaphor that confined it to the role of stylistic embellishment in poetic and rhetorical discourse was based on just assumptions in the absence of any systematic approach to empirically analyse the discourse. Corpus Linguistics (CL) techniques offer a parallel and viable solution to empirical analyses of discourse. It is now established that CL can provide a greater opportunity for metaphor identification and analysis in actual authentic discourse and thus may offer empirical evidence for claims of CMT. This paper, therefore, aims to explore the occurrences, frequency and distribution of metaphor in word classes in authentic legal discourse in the context of Pakistan by following the discourse analysis approach (Deignan, 2005) using

techniques of corpus analysis and Charteris-Black's (2004) hybrid metaphor analysis to find out answers to the following research questions:

Research Questions

Q 1: What is the frequency of metaphorical expressions in the Pakistani legal discourse?

Q 2: What types of metaphors are frequently employed in the Pakistani legal discourse?

Literature Review

Metaphor has been the focus of research since the time of Aristotle who developed the first explicit theory of metaphor (Marcos, 1997). 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). However, in modern philosophical discussion, there is a realization that Aristotle recognized the cognitive value of metaphor, not only for its ornamental purpose but also for a cognitive and semiotic function (Kirby, 1997). Driscoll (2012) observes that Aristotle criticized the use of metaphors in scientific discourse, but in other places, he affirmed its value. Deignan (1998) says that attributing the decorative view of metaphor to Aristotle may be a misinterpretation of his work and believes that Aristotle's criticism of improper metaphors was wrongly attributed to lack of cognitive value in later traditions that laid the foundation of the classical theory of metaphor.

In subsequent philosophy, from Latin philosophers to the Empiricists of the 16th century in Britain and the Logical Positivists of the 20th Century in Europe, metaphor was relegated in value as it was conceived as a mere comparison and matter of style with no distinctive cognitive function (Johnson, 1981). This practically led to the exclusion of discussion about figurative language and metaphor from scientific and philosophical discourse denying it any place in "genuine philosophical arguments" (Way, 1991, p.3). Excluding some exceptional mentions of metaphor in the 19th century in the works of Kant and Nietzsche (Johnson, 1981), overall, metaphor with "its ambiguous referents" and its "dubious truth values" was considered "descriptively meaningless", especially in the field of science and was therefore assigned "an extra-logical status" (Way, 1991, p. 4). In its place, a clear, precise, unambiguous and testable literal language, free of any figurative devices was advocated by the Positivists (Ortony, 1979;

1993). According to Kövecses (2010), the traditional view of metaphor considered it as a matter of language and words only, based on resemblance and employed for artistic and rhetorical embellishment. It was not considered inevitable to thought and communication and could be easily peeled away from language without any cognitive loss to the discourse.

Towards the mid-20th century, however, revolutionary works by Richards (1936) and Black (1955; 1962) questioned the traditional concept of metaphor (Johnson, 1981). Similarly, works by scholars like Ortony (1979), Schon (1979) and Reddy (1979) also contributed towards the shift of focus to metaphor as a matter of thought, thus leading the way towards “the cognitive turn” and inspiring the seminal work of Lakoff and Johnson (Lakoff, 1993; Cameron, 2003; Steen, 2011), which ultimately gave a cognitive dimension to metaphor and ushered in a new era in the field of metaphor research in the shape of Conceptual Metaphor Theory (CMT).

Theoretical Framework: CMT

CMT holds a revolutionary view about metaphor and rejects most of the traditionally held beliefs by categorically rebuffing the classical notions that metaphor is 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 Lakoff and Johnson (1980, p. 454), is pervasive in all aspects of life, “not just in language, but in thought and action as well”. They argued that our ordinary conceptual system is fundamentally metaphorical and claimed that metaphor is a characteristic of concepts, not words, and that our thinking, experience and actions are also metaphorical as they are governed by our conceptual system. Our conceptual system has a vital role in defining our realities, our experiences, our perceptions and our actions and communication including language. CMT argued that the locus of metaphor is in concept and metaphors in language serve as proof for the existence of metaphor in thought. Lakoff and Johnson (1980) explained conceptual metaphors as a connection between two semantic areas i.e., the source domains and the target domains while metaphoric linguistic expressions as reflections and expressions of metaphors in a person's conceptual system and asserted that linguistic metaphors owe their existence to conceptual metaphors (Lakoff & Johnson, 2003). They also rejected the notion that metaphor is based on pre-existing similarities between properties that are inherently held by the objects 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 (Lakoff & Johnson, 2003). According to CMT, metaphors are based in our physical experience and structure our thinking process as well as our knowledge and are vital to abstract language (Deignan, 2005).

However, CMT is often criticized for its reliance on ‘artificially constructed’, ‘decontextualized’, introspection-based, and ‘invented’ examples of metaphor, in support of its assertions and claims, without providing actual linguistic data from natural language (Deignan, 2008; Koller, 2008; Kövecses 2009; Gibbs, 2011). Similarly, CMT has also been criticized for its over-emphasis on metaphor in thought (conceptual metaphor) and ignoring metaphor in language (linguistic metaphor) (Cameron & Deignan, 2006; Cameron et al, 2009). In recent years, in order to evaluate the claims of CMT with empirical data, there has been more focus on analysing metaphor in actual context, with data taken from natural language for analysis through discourse and corpus approaches (Cameron & Deignan, 2006).

Metaphor in Law

In the field of legal discourse, there is a common assumption that the language of the law is usually precise and unambiguous with little space for misinterpretation. Many scholars have, therefore, warned against the negative effect of metaphor in law. One of the qualities of legal lexis mentioned by Mellinkoff (1963) is “extreme precision of expressions” (p.11), sparing little room for figurative language, especially metaphor, in the language of the law. According to Li and 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 binding force. According to Winter (2008), lawyers and legal theorists take “a dim view of metaphor” (p. 363) under the influence of an objectivist epistemology. Mattila (2006) argues that legislation is characterized by linguistic clarity, precision and accuracy; therefore, legal rules should be formulated in a language free of ambiguity to avoid arbitrariness and is content that, modern legal language is neutral, formal, and cold, and in comparison with the medieval times, contains rare examples of metaphor. Newman (1999) says that metaphors can be misleading, seductive and overpowering as they highlight the similarities between things and entities but also mask differences between them and refers to the famous quote of Judge Cardozo (1927) 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.95). The same thought is echoed in 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, empirical investigations in the field of legal discourse have confirmed the claims of CMT and have shown that language of the law is no exception to the overarching claims of studies on metaphor in different discourses. Newman (1999, p. 1) claims that metaphor is one of the most powerful figures of speech in the hands of judges and lawyers 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. 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. Ritchie (2007) 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. Recent studies have shown that legal language is not devoid of figurative expressions like metaphor, and their importance and significant role have been acknowledged. Unlike literature and creative writing, metaphors in scientific discourse including legal language are integral parts of language and serve an important purpose in explaining or describing an object or action in terms of a more familiar or ordinary thing or action in order to draw clarity or unfold hidden similarities.

Hibbitts (1994) claims that metaphors exist in all branches of discourse and are commonplace and omnipresent in law, not just for the purpose of semantic decoration or as a rhetorical device. Hibbitts’ study of American Legal discourse for metaphor noticed a shift from visual to aural metaphor in the discourse which he attributed to recent developments in aural communication 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. Chiu and Chiang (2011), while analysing court judgements in Taiwan, observed a shift in the type of discourse after the amendment of 2003 that was marked by a high frequency of metaphors related to FIGHT that has an ideological influence on creating a fighting mind-set related to litigation in the court. Jumanca’s (2012) analyses of legal discourse in English observed that metaphor is a

significant part of legal discourse. The researcher concludes that metaphor plays a significant role in understanding and rendering legal texts accessible to everyone.

While exploring the frequency of metaphors in the discourse of judgments from UK courts, Ozoliņa (2013) observed that metaphors are frequently and effectively used in the discourse with the tendency to grow further and that their use helps in improving the quality of the language in law. Šeškauskienė and Stepanyuk (2014), while exploring metaphors in spoken discourse in the courtrooms of the United States Supreme Court, observed that legal language, like other languages for specific purposes follows the general principles of language and human cognition and concluded that legal language and reasoning are no exception to the principles of language claimed by Lakoff and Johnson (1980) and the embodiment principle of Johnson (2007) about the dependence of our reasoning regarding abstract concepts on our bodily experiences. Urbonaitė's (2017) cross-linguistic study of written academic legal discourse of English and Lithuanian discourses found a significantly higher density of metaphors in Lithuanian discourse as compared to English, due to the difference in nature of the two legal systems and academic writing traditions in the two discourse communities. The study confirms the findings of many previous studies, especially regarding the predominance of object and person as source domains in the legal discourse.

Li and Xiao's (2017) contrastive study for exploring conceptual metaphors in Courtroom discourse in China and America found similarities between most of the major conceptual metaphors in both corpora, however, with differences in percentage and some source domains in both corpora. The study confirms earlier claims that there are universal as well as cultural-specific factors affecting the choice of metaphor. Mannoni's (2021) cross-linguistic study of legal Euro English and legal Chinese from Mainland China, focusing on the RIGHT metaphor observed that the number of metaphors for RIGHT was higher in Euro English than in legal Chinese due to different conceptualization of RIGHT and rare cognitive and legal equivalence between the concepts in the two languages.

There are numerous other studies that analyse 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 & Armstrong, 2015), Contract Law (Lipshaw, 2011), Human

Rights (Golder, 2019), etc. All of these studies acknowledge the presence of metaphor in their respective discourses and the important role that it plays. In the context of Pakistan, Umm-e-Habiba (2018) explored legal discourse for academic vocabulary and Dar (2021) studied Covid-19 research dataset for conceptual metaphor. The present study explores conceptual metaphors in the legal discourse in Pakistan.

Research Methodology

Research Design

The present study adopted a corpus-based discourse approach to metaphor analysis, in the light of the works of Charteris-Black (2004), Deignan (2005), MIP (Pragglejaz Group, 2007) and MIPVU (Steen et al., 2010) to analyze texts from authentic legal discourse. The study focused on identifying the frequency and types of metaphors in the selected legal discourse by analysing the corpus for metaphors according to the set criteria of the study. A combination of qualitative and quantitative analysis was employed for investigating metaphor in discourse in order to find answers to the research questions of the study.

Corpus Building

A specialized corpus was built for this study from the target population of court judgements and orders of the Supreme Court of Pakistan (SCP) and was named as COLD. For collection of data, the official website of the SCP was accessed which provides free access to these judgements and orders. However, as thousands of court judgements and orders were available on the website of the SCP, a non-probability (purposive) sampling procedure was used for the selection of sample from the target population for the study to delimit the sample population. Adopting one of Biber's (1990) designs, i.e., text as a product, texts for the sample population were selected based on year of case registration and boundaries of the population were delimited to one year (i.e., 2019 as the year of cases registration in the SCP). All the cases registered during 2019 and whose judgements were issued till 28 February 2022 and were made available on the official website were included which were 139 cases in total. The COLD corpus thus developed consisted of 139 files and 481,577 tokens.

Keeping in view the opinions of scholars like Biber (1993), Bowker and Pearson (2002) and Deignan (2008), the size of COLD compiled for the present study may be considered sufficient enough, for being a specialized corpus. However, while deciding about designing this corpus and its size, views of scholars like Nelson (1982), Biber (1990; 1993), Flowerdew (2004), Reppen (2010), Baker (2010) and Koester (2010) and Zufferey (2020) were kept in mind regarding several considerations like suitability of the corpus for the research, its adequacy to match features under investigation, its sufficiency to represent the type of language under investigation, its representativeness of the genre by including full range of variability of the population, purpose of the study, the aspect of language to be investigated and pragmatic or practicality considerations (e.g., availability, time, resources) etc. One significant pragmatic consideration in deciding the size of the corpus was the nature of the present study as it was not purely automated corpus analysis. Rather, a hybrid model (Charteris- Black, 2004; Stefanowitsch, 2020; Baker, 2010) was used involving both manual analysis of a selected sample and computer search of the whole corpus. Corpus of a much larger size would pose challenges for manual analysis of an appropriate sample from the corpus. Therefore, a reasonable corpus size was selected that is representative of the language and also manageable for manual search of the selected sample from the corpus. All types of judgements including a variety of criminal, civil and constitutional cases comprising original, appellate and review jurisdiction of the Supreme Court, that were available for the selected time-period, were included in the sample population. This way, it covered a variety of the most recent and contemporary available judgements, with the judgements written by several different judges. A detailed description of COLD is given in Table 1.

Table 1
Categories of judgements and orders in the COLD

Type of judgement/ order	Number of files
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
Total	139

Selection of population for corpus was made on the basis of 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 (Atkins et al., 1992; Zufferey, 2020). 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.

These judgements were available on the website of SCP in Portable Document Format (PDF). After downloading, they were converted into MS Word files to clean them from noise. Most of the noise in this corpus was the result of the conversion process, emerging from the conversion of poor-quality prints into digital/image form or the presence of illegible handwritten notes/comments which were difficult for the software to convert. In addition to 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 used in the text. All types of noise were removed by manual cleansing of the text through elaborate efforts. 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) – 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 (e.g., French, Latin, Urdu, Arabic and Persian) which were also removed from the converted texts. In the final step, these MS Word files were converted into *txt* format and saved as separate files with coded names to ensure privacy as well as easy identification and reference (Reppen, 2010).

Metaphor Identification in the Corpus

As metaphor identification solely through computer software is not possible (Ädel, 2010; Baker, 2010; Stefanowitsch, 2020), therefore a hybrid or semi-automatic analysis approach was used in this study, involving a combination of manual and automated metaphor identification which was earlier used by Charteris-Black's (2004), Semino (2002), Cameron and Deignan (2003), Koller (2004), Koller and Semino (2009) and Semino and Koller (2009), however, with difference among them regarding decision for selecting the sub-set of data. In the present study, Charteris-Black's (2004) approach was followed by selecting a sample from the main corpus for manual identification of metaphoric expressions before undertaking an automated search of the complete corpus. In the first phase, a sample was selected from the main corpus using a stratified

sampling procedure on the basis of all types of cases present in the corpus (i.e., civil, criminal, constitutional etc.) in order to ensure that the number of files across text categories in the selected sample were proportional to their number in the target population (Sinclair, 2005) and were maximally representative of the language under examination (McEnery and Wilson, 1997). Getting guidelines from Koller and Semino (2009) and Semino and Koller (2009), who used around 25% sample of the whole corpus for manual analyses, the present study selected a sample for manual analysis that was about 30% of the total number of files (i.e., 43 out of 139 judgements in the COLD). The sample of judgements selected was analysed through a detailed manual analysis using a combination of metaphor identification techniques from MIP (Pragglejaz Group, 2007) and MIPVU (Steen et al., 2010).

MIP and MIPVU criteria for identifying metaphor in the text require that the entire text should be read to identify all lexical units (words) and their contextual meanings determined. Next, their more basic meaning in other contexts be explored with the help of a corpus-based dictionary. More basic meaning according to them is concrete, precise, related to bodily action, and historically older (MIP only). If the contextual meaning of a lexical unit is in contrast with the basic meaning but can be understood in comparison with it, then the lexical unit is to be marked as metaphoric. Following this procedure, the selected sample was manually analyzed and a list of the identified metaphorically used words (MUWs) was prepared. In the second phase, this list of identified MUWs was used as a starting point for searching the complete corpus through concordance, using computer software AntConc 4.1.4 (Anthony, 2022) – following the same criteria as was used for manual analysis of the corpus. The results were analysed to determine the total number of metaphors in COLD, the frequency of each token type, types of source domains and classification on the basis of word classes.

Following the MIP and Charteris-Black's (2004) approach and in contrast to MIPVU, this study focused on only indirect expressions of metaphor and excluded other forms of figurative expressions like simile, analogy, implicit metaphors and metaphors by substitution or ellipsis, and hyperbolic or other type of figurative expressions. As the corpus developed for this study consisted of legal discourse which is a technical register, 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 adopts the idea that the corpus was analysed from the perspective of a common user of English and the description given in a general

contemporary English dictionary and not from the point of view of a technical user of legal language or some specialized dictionary of law.

Results and Discussion

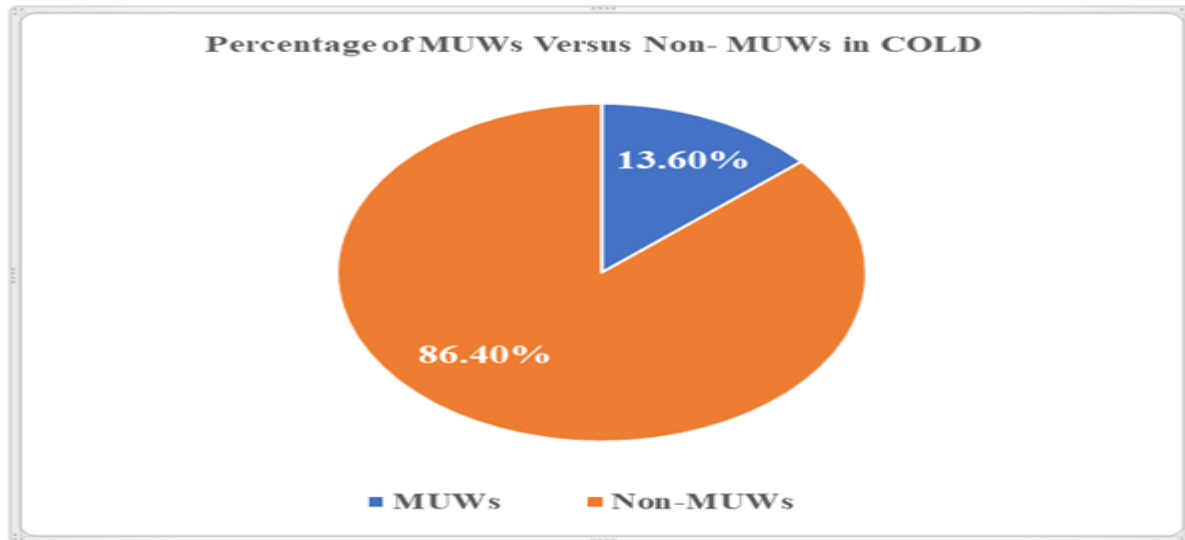
Search for metaphoric expressions in the selected sample through manual analysis resulted in initially identifying 1024 MUWs. In the next phase, when these words were elaborately searched through AntConc 4.1.4 (Anthony, 2022) software in the whole COLD, during the analysis of the context of these initially identified MUWs, additional MUWs were encountered which raised the total MUWs to 1185 (14% increase). Concordance analysis for these MUWs through computer search revealed 65,503 metaphoric instances for these MUWs in the corpus, in addition to their non-metaphoric usage. As shown in Table 2, the study revealed that 65,503 (13.60%) lexical units in the corpus were used metaphorically, out of the total 481,577 lexical units while 416,074 (86.40%) lexical units were used in their literal sense.

Table: 2

Lexical units and metaphors in the COLD

Total number of lexical units	Number of token types	Number of tokens	Percentage of metaphor in discourse
481577	1185	65503	13.60
481577	1185	65503	13.60

Figure 1 graphically represents these findings. The results indicate that non-metaphorically used words and metaphorically used words have 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 eight words and approximated that every independent clause, in their study, contains one metaphor. 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 COLD. However, keeping in view the nature of legal language, where, usually, clauses are larger than in Standard English language, these results imply that, on average, more than one metaphor is present in each clause in COLD.

Figure 1*Percentage of MUWs versus non- MUWs in COLD*

The results indicate that corresponding to 1185 metaphoric token types (i.e., distinct words without counting their repetitions), there were 65503 metaphoric tokens (i.e., every instance of metaphorically used word/phrase) of MUWs in the corpus. Further analysis revealed that many of the MUWs in the corpus have been repeated several times (i.e., they have more than one token) in the corpus. It was observed that 1185 token types had their frequency (tokens) of metaphoric use ranging from one to several thousand. For example, the highest number of metaphoric tokens of individual token types was observed in prepositions with the preposition 'in' leading the rest with its 10342 metaphoric occurrences (tokens) out of its total of 11241 tokens. It was followed by 'to' (4397) and then 'on' (3407). It was further observed 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. On the other hand, only ten lexical units had more than one thousand tokens in the discourse; almost all of them were prepositions with the exception of the verb 'provide' and the adjective 'high'. Similarly, ten lexical units had tokens in the range of 501-1000, thirteen in the range of 301-500, seventeen in the range of 201-300 and forty-four in the range of 101-200. The majority of lexical units (almost 60) were lying in the range of 3-100 tokens.

The frequency count observed in the present study is compatible with the observations and findings of other studies on the frequency of metaphors in different discourses. Thibodeau

et al. (2019), who based their observation on the results of studies by various scholars (including Geary, 2011; Steen et al., 2010; Steen, 2008), say that 10% to 20% of natural discourse consists of figurative language including metaphor. Steen (2008) also noted that, in their study, 13.5% of the corpus, consisting of three written and one spoken discourse, comprised of metaphor-related words, while Steen et al. (2010) said that the three written registers in their study had a combined average percentage of 14.5% metaphors with academic register containing the highest percentage (i.e., 17.5%) of metaphor related words, followed by news (15.3%) and fiction (10.8%).

This study validates the claims of CMT about the pervasiveness of metaphor in discourse. However, as observed by Steen et al. (2010), the study found that CMT's claim, for example, Lakoff's (1993) claim that ordinary everyday English is largely metaphorical, is not supported by empirical data as only 13.6% of the corpus was found metaphorical. The results may be affected by the criteria and definition of metaphor and the analysis procedure adopted here. As stated by Steen et al. (2010) and Deignan (2005), a language may have more metaphors depending upon the definition of metaphor if analysed from a historical perspective by including the study of the historically original meaning of all words, but 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, that becomes obsolete and is accessible only through etymological search.

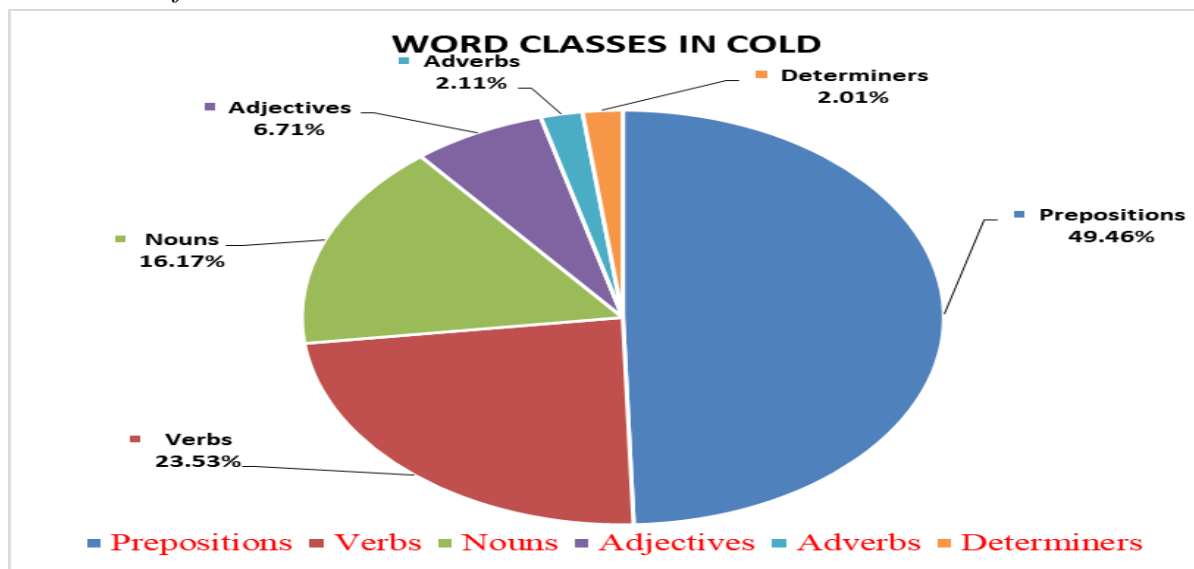
Distribution of Metaphors in Word Classes

Steen et al., (2010), has observed that the distribution of metaphors across word class in the corpus is not homogeneous; so, a frequency count of word class was carried out to get a picture of their distribution in the corpus. For this purpose, the frequency of six dominant word classes (noun, verb, adjective, adverb, preposition and determiners) was calculated for the identified metaphors in the corpus. Table 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 while Figure 2 graphically portrays them. However, it is to be noted that the findings of the analysis regarding the distribution of metaphor across word classes cannot be compared to the overall distribution of these word classes in COLD as a whole because this corpus was not initially annotated for POS tagging.

Table 3*Percentage of metaphors according to word class in COLD*

Word class	Metaphoric usage	Percentage
Prepositions	32401	49.46
Verbs	15413	23.53
Nouns	10595	16.17
Adjectives	4392	6.71
Adverbs	1384	2.11
Determiners	1318	2.01
Total	65503	100

The above table shows that the highest frequency of MUWs is observed in prepositions (49.46%), followed by verbs (23.53%) and then nouns (16.17%). These three classes, in fact, 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 2*Distribution of MUWs in word classes in COLD*

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, involving mapping from the source domain to the target domain (Lakoff, 1993). For example, in the first sentence in Concordance-1 which talks about

“substance of the offence”, physical object is used as a source domain to talk about offence (the target domain) by rendering it quality of substance. Steen et al., (2010, p. 11) 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 was deemed pertinent to analyse metaphors in discourse on the basis of their source domains from where metaphorical concepts are mapped into the target domains because it is relevant to the research questions of the study. In order to analyse the patterns of projection from the source domains to the target domain, all the MUWs identified in the COLD corpus were grouped on the basis of their source domains and their respective frequency was calculated. Target domain was not focused in this analysis but in most of the cases, it was related to law and its various concepts, e.g., act, justice, constitution, argument, jurisdiction etc. Details of the results are shown in Table 4 below.

Table 4

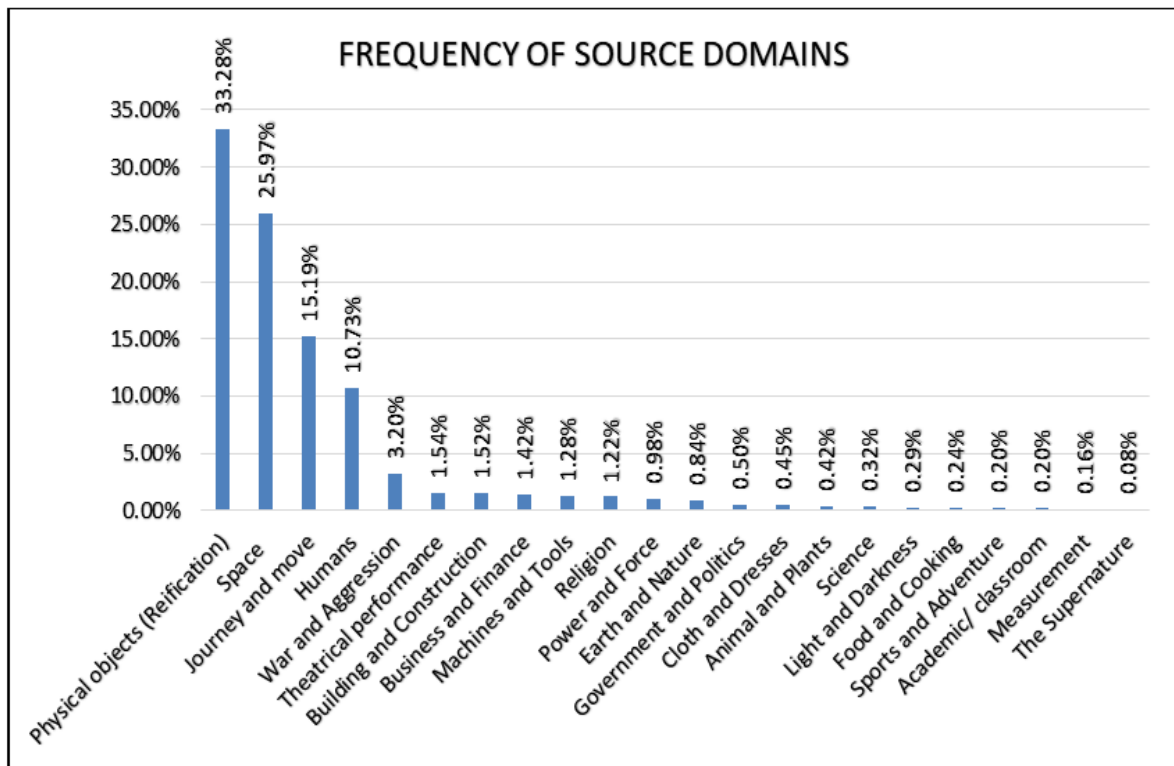
Source domains of metaphors and their frequency in the COLD

Source domain	Frequency	Percentage
Physical objects (Reification)	21804	33.2
Spatial location	17009	25.9
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
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
Total	65503	100

As the table above shows, metaphors used in the corpus come from a number of domains. However, a few of the source domains, including, physical objects, spatial location, journeys and humans are the dominant source domains in COLD. In fact, these four source domains together make 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 3. According to Deignan (2005), a majority of conceptual metaphors 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. The same phenomenon was observed in the present corpus too.

Figure 3

Source domains and their percentage in the COLD



Domain of Physical Objects

As Table 4 shows, there are a total of 21804 tokens of metaphoric expression (33.28% of all MUWs) from the source domain of physical objects, making it the most prominent source

domain in COLD. The term ‘Physical Objects’ represents types of metaphors where non-physical entities are represented as possessing physical properties and are represented as if they could be given, taken, broken, possessed, etc., just like physical objects. 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 were concrete objects by rendering them physical features and attributes like material composition, possessibility, shape, size, colour, weight, purity, hardness, rigidity, quantity, etc. In COLD, there is an extensive set of MUWs used to describe the physical features of law and its related concepts in physical terms. Lakoff (1991) says that physical features of objects like shape, density, size, weight, etc. are mapped to target domains to give rise to several metaphors, for example, IMPORTANT IS BIG or HEAVY IS SERIOUS. Some of these selected examples of metaphors are shown in Figure 4 below.

Figure 4

Metaphoric expressions from the domain of physical objects

reference submitted to the Court shall contain the	<i>substance</i>	of the offence alleged to have been committed
The said obscurity has, gone a long way in	<i>distorting</i>	the criminal jurisprudence in the country.
violated not only Rule 13 but also prima facie	<i>breached</i>	Article 204 of the Constitution by committing
to be appropriately reviewed in the interest of the	<i>purity</i>	and honour of the judiciary.” This dictum was
In the first instance, the court does not	<i>lose</i>	its jurisdiction to review its order by extend
out legislation through the Parliament in the	<i>shape</i>	of an Act within six months to provide for the
Therefore, before the Reference was	<i>leaked,</i>	probably on 28.05.2019, only a handful of
to drive home a criminal charge has to be	<i>weighed</i>	in the scales of rationality; it cannot be required
Every crime, no matter what its	<i>magnitude</i>	or extent, creates some fear and insecurity

In the physical domain, the *container* domain is the most prominent source domain with 11813 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., which make almost 11000 tokens out of the total 11813 MUWS related to the *container* source domain, thus making it the domain with the highest tokens in the corpus. According to Lakoff and Johnson (1980), container metaphor projects ontological structure to abstract concepts and entities like possessing an inside/outside, possessing a boundary and having the capacity to hold something. 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 do not possess. According to Ritchie (2007), container metaphors 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. Similarly, Philippopolis-Mihalopoulos (2016) believes that container metaphors are based on the human need for constructing a boundary between self and the outside environment and a need for separation and enclosure. This way, a certain distinct structure is assigned to the law that excludes parts of society and even different modes of law. Figure 5 shows some selected examples of MUWs from the corpus related to the source domain of Container.

Figure 5

Metaphoric expressions from the domain of container

1. 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.
2. The scope of the Act or the vires of the Regulations cannot be determined by the words *inserted* in section 176A.
3. The learned counsel for the father submits that the parties had *entered* into an agreement which the father abided by but which the mother violated in seeking the child's custody.
4. The definition mentioned above of a 'terrorist act' *contained* in Section 6 was subsequently amended through the Anti-Terrorism
5. This appeal with the leave of the Court arises *out* of a judgment of the Federal Service Tribunal.

Spatial location

The second largest source domain for metaphoric expressions, after the physical domain 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*, *under the constitution*, etc., are frequently occurring expressions in legal discourse, usually, indicating the hierarchical relations in the legal system and the dominance of law in the society. These Spatial metaphors cover various aspects of spatial orientation, like

location in space, horizontal and vertical orientation and domains originating from the centre-peripheral axis. The spatial domain is dominated by metaphors from a location in space and area, followed by horizontal, vertical and central-peripheral orientation. Predominantly, they are represented by 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 in terms of container, location, orientation and movement. In addition to spatial prepositions, adjectives belonging to spatial orientation like *high, apex, supreme, superior, inferior, low, central, peripheral, pivotal, bottom, super, top, profound, subjected, abysmal, etc.*, are prominent MUWs in this category. Similarly, nouns like *place, point, range, scope, boundary, position* etc., and verbs like *ascend descend, fall, drop, soar, exalt, lift*, etc., also fall in this category. Some selected examples of this domain are given in Figure 6.

Figure 6

MUWs from the source domain of spatial location

1. Mr. Justice XXX was ***elevated*** as the Chief Justice of the XXX High Court.
2. Our Constitution ***exalts*** the right to privacy.
3. The President has been replaced as the ***central*** figure of the State by the PM.
4. Truth is the foundation of justice and justice is the ***core*** and bedrock of a civilized society.
5. The petitioner stayed ***away*** from law, however, he was finally arrested.

Journey and movement

Journey and movement is the next prominent source domain for metaphoric expressions in the present corpus. There are 9951 tokens of MUWs from this domain that make up 15.19% of the total MUWs in COLD. These metaphoric expressions are realizations of a broader conceptual metaphor that Lakoff *et al.* (1991) have termed as LONGTERM PURPOSEFUL ACTIVITY/CHANGE IS A JOURNEY. Law cases have been projected as a journey that involves change in place 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 and moving away from procedures and law as deviations and divergences with the pace of the process of law as the speed of the journey as

shown in examples in Figure 7. According to Charteris-Black (2004), metaphors from the domains of journey represent activities where progress is achieved in stages towards a pre-determined destination or a valuable goal, requiring time, effort and patience. These activities involve progress where 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.

Figure 7

MUWs from the source domain of journey

1. At the very **outset**, it becomes clear that this plea of the petitioner raises two distinct issues;
2. The Principles of Policy set out in the Constitution are the **path**, and the destination, that the nation has set for itself.
3. The Principles of Policy set out in the Constitution are the path, and the **destination**, that the nation has set for itself.
4. The impugned judgment has **gone** far beyond the terms of the said letter.
5. At this point, the Appellant did have the **avenue** of review, against the order of this Court.

Humans

The next prominent source domain in the COLD is *Humans* who make 10.73% of all MUWs with their 7027 tokens in the corpus. Various features of humans are used as source domains to represent entities and concepts as humans by rendering those qualities or attributes, normally attached to humans. The most prominent type of metaphor coming from the domain of *humans* is personification where attributes related to humans like their actions and features are used for non-human entities and they are presented as humans. These include examples of human actions **recognized** by law, to **encourage** freedom, Section 24 (d) **mandates**, **required** by law, etc. 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, **adopting** the procedure, **miscarriage** of justice, **injuring** the dignity of man, etc.

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 55788 tokens in the corpus that make up more than 85% of the total MRWs in the corpus.

War and Conflict

Wars and conflict are also basic and common human experiences since the beginning of human history. Humans have been in a struggle with nature, beasts and fellow human beings for survival and existence throughout history. It is therefore acts as a good source domain to project familiar human experiences related to war 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 conceptualization of LEGAL PROCESS AS WAR. Some examples from the domain are given in Figure 8.

Figure 8

MUWs from the source domain of war

1. The Appellants/Petitioners ***challenged*** the impugned judgments before this Court.
2. The Act is designed to ***protect*** the suppliers and buyers of sugarcane.
3. Learned counsel for the respondent has ***defended*** the impugned judgment.
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.
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.

Minor Source Domains

In addition to the above four dominant source domains, there are various other minor source domains found in the corpus. These include domains from Theatre with 1008 tokens (1.54%), Building and Construction with 998 tokens (1.54%), Business and Finance with 930 tokens (1.42 %), Machines and Tools with 836 tokens (1.28 %) and Religion with 798 token

(1.22%) in the corpus. Additionally, there are some further minor source domains found in the corpus but their share was less than one percent each. They include Earth and Nature, Religion, Science, Cloth and Dresses, Animals and Plants, House and Household, Light and Darkness, Food and Cooking, Time, Sports and Adventure, Measurement, Academic/Classroom and Supernature, etc. However, their collective share was less than 5% in the corpus.

Conclusion

The present analyses confirm claims of CMT about the pervasiveness of metaphor in discourse with empirical evidence from legal discourse in Pakistan; however, in contrast to its claim that ordinary language is largely metaphoric (Lakoff, 1993), it was found in the present study that only 13.60% of the corpus consisted of metaphoric expressions according to the criteria of the study. The claim made by Richards (1936, p. 98) that “we cannot get through three sentences of ordinary fluid discourse without metaphor” is validated as it was observed that, on average, there is at least one metaphor in every sentence of the Corpus. The frequency of metaphors observed in the corpus is in line with several studies especially, the elaborative study undertaken by Steen et al. (2010). The results are also compatible with many other studies, particularly studies by Chiu and Chiang (2011), Jumanca, (2012), Šeškauskienė and Stepanýuk (2014), Urbonaitė (2017) and Li & Xiao (2017) and agree with Šeškauskienė and Stepanýuk's (2014) statement that legal discourse follows processes of general human cognition regarding the presence of metaphors in language.

The present study found Charteris-Black's (2004) two-stage metaphor identification approach for metaphor search in large texts as overall quite satisfactory, especially in the absence of a specific software for completely computerized analysis. However, during the reading of concordance lines in automated search to study context for their further instances in the complete corpus, additional token types of MUWs were found in the proximity 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 which means that these potential metaphors in the whole corpus could not be initially observed during manual analysis of the selected sample. This highlighted the limitation of the hybrid approach which was resolved through careful study of the extended context around the nodes. However, there is a requirement for a more refined and accurate procedure for metaphor identification in large corpus through

developing the software and methodological issues for more reliable results. As one improvement to the above methodology, it is suggested that while analysing concordance lines for metaphor search in concordances, 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.

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