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## ■ EXAMINING CONCEPTUAL METAPHOR IN THE LEGAL DISCOURSE OF THE EU ACQUIS

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U ovom radu se analiziraju pojmovne metafore u malom specijalizovanom korpusu koji sačinjavaju tri pravna akta iz pravnih tekovina EU: po jedna uredba, direktiva i odluka. U radu se dovodi u pitanje ustaljena pretpostavka da u pravnom diskursu nema figurativnog jezika, tako što se pokazuje da su pojmovne metafore neodvojiv i funkcionalan element pravnih tekstova. Istraživanje se zasniva na teoriji pojmovne metafore, koju su uveli Lejkof i Džonson (Lakoff/Johnson 2003), a koja razlikuje tri glavna tipa metafora – strukturne, orijentacione i ontološke – pri čemu se utvrđuje u kojoj meri je svaki od ovih tipova zastupljen u korpusu. Za identifikaciju metaforičkih izraza i njihovih natkriljujućih preslikavanja korišćene su dve komplementarne metode: Procedura za identifikaciju metafora (MIP), koju je razvila grupa naučnika Pragglejaz (Pragglejaz Group 2007), i Stenova metoda koja se sastoji iz pet koraka (Steen 1999), a koja otkriva pojmovna preslikavanja prema modelu CILJNI DOMEN JE IZVORNI DOMEN. Pojedinačna analiza odabranih primera prikazana je u formatu koji je takođe predložila grupa Pragglejaz (Pragglejaz Group 2007). Rezultati potvrđuju da sva tri tipa metafora prožimaju analizirane pravne tekstove. Ontološke metafore su najzastupljenije, pri čemu se najviše ponavljaju metafore sa izvornim domenom SADRŽATELJ I POSEDOVANJE, kao i brojne metafore koje proizlaze iz personifikacije. Strukturne metafore su takođe široko zastupljene u sva tri pravna akta, a najčešće preslikavanje je DONOŠENJE ZAKONA JE PUTOVANJE. Orijetacione metafore se javljaju ređe, pre svega kroz preslikavanja PODREĐENO JE DOLE I VIŠE JE GORE. Mnogi metaforički izrazi se ponavljaju u više pravnih akata, pri čemu se pojmovi iz izvornog domena preslikavaju na niz različitih pojmova iz ciljnog domena. U korpusu je identifikovano ukupno 35 preslikavanja, od kojih većina spada u konvencionalne metafore. Reč *under* je najčešća metaforički upotrebljena reč u korpusu. Ova analiza potvrđuje da pravni jezik obiluje metaforički upotrebljenim izrazima, što dovodi do širokog spektra pojmovnih metafora sva tri tipa, koje imaju važnu ulogu u strukturiranju pravnog značenja i u konceptualizaciji apstraktnih pravnih principa unutar zakonodavnog okvira EU.

Ključne reči: pojmovna metafora, preslikavanje, pravni diskurs, pravo EU, grupa Pragglejaz

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## 1. INTRODUCTION

Over the past few decades, several subtypes of language for specific purposes (LSP) have gained considerable autonomy from language for general purposes (LGP). These subtypes of LSP are used by professionals in their respective fields, e.g. doctors or lawyers, and their primary goal is to get a clear message across with very little room left for emotive features. The language that they use is meant to be unambiguous and as precise as possible, contrary to what we experience in regular everyday speech or literary language (Twardzisz 2014: 238). The language of the law (or legal language) is one of those subtypes of LSP and was long perceived as being virtually devoid of any figurative elements (like metaphors) and other similar devices (Tiersma 1999: 128). Wojtczak and Witczak-Plisiecka substantiate this claim further by pointing out that lawyers often explicitly deny that the texts may at all be phrased in a metaphorical way (2019: 274).

However, with the publishing of *Metaphors We Live By* in 1980, a seminal work by George Lakoff and Mark Johnson, the very notion of metaphor started gradually shifting from being a language phenomenon to being a mental one (Gražytė 2017: 71). Understanding them in this way, this research aims to show that metaphors, in spite of being both understudied and underestimated in legal language (Jumanca 2012: 366), are an inseparable element in this field. This is evident in one of the most frequent expressions of legal language – *to break the law*, which maps a concept that lay people are more likely to be familiar with onto a more abstract concept. That is to say, the actions of a person who does not obey the law are equated with the actions of a person who inflicts physical damage to something. In the words of Wojtczak and Witczak-Plisiecka, “[t]he concepts of law, even the simplest ones, such as that of the ‘legal person’ or ‘crime’, draw on metaphorical imagery and involve metaphor-related processes which can be seen as important in the course of legal interpretation” (2019: 273). The main hypothesis behind this research is that figurative expressions in the form of conceptual metaphor constitute an integral part of the language of the law, playing a not insignificant role in it, despite the widely accepted belief that legal language is free of such expressions. This is exemplified through a number of different types of metaphors being used in various legal acts of EU legislation.

## 2. THEORETICAL BACKGROUND

The position of metaphor within the scope of cognitive linguistics is of central importance and it was assumed when *Metaphors We Live By*, a highly influential book in this field written by George Lakoff and Mark Johnson, was published in 1980. It extends the limits of metaphor to those of a cognitive mechanism used to perceive external surroundings, making it indispensable to the everyday use of language rather than just a figure of speech. At the very beginning of *Metaphors We Live By*, Lakoff and Johnson suggest that “metaphor is pervasive in everyday life, not just in language but in thought and action” (2003: 3). Wojtczak and Witczak-Plisiecka further argue that “metaphor is an omnipresent element of human categorization, a predominant tool thanks to which people may organize their thoughts about the world” (2019: 275). Developing conceptual metaphor theory, Lakoff and Johnson claim “that most of our normal conceptual system is metaphorically structured; that is, most concepts are partially understood in terms

of other concepts" (2003: 56). If the entire notion of metaphor is approached from this different angle, it adopts a new function of being a conceptual mechanism. That is to say, conceptual metaphor occurs when we encounter abstract concepts that are not part of our everyday personal experience and try to explain them with concepts that are experientially more familiar to us. Such mental projections provide answers as to how we explain new concepts and they prompted Lakoff and Johnson to come up with the term *mapping*, which they define as systematic correspondences across conceptual domains shaped by our bodily experiences (2003: 246). Kövecses further explains such domains suggesting "[t]he conceptual domain from which we draw metaphorical expressions to understand another conceptual domain is called source domain, while the conceptual domain that is understood this way is the target domain" (Kövecses 2002: 4). Therefore, the primary conceptual pattern behind conceptual metaphor is TARGET DOMAIN IS SOURCE DOMAIN. Typical examples of conceptual metaphor would be sentences like "He attacked every weak point in my argument" or "I'd never won an argument with him" (Lakoff/Johnson 2003: 4), in which it is clear that the concept of argument is linked to metaphorical phrases suggesting war, which means that the conceptual pattern behind this conceptual metaphor is ARGUMENT IS WAR.

Various groups of metaphorical expressions are based on the metaphorical extension of underlying image schemata. Johnson defines such schemata as recurrent patterns, shapes and regularities in activities that put our actions, perceptions and conceptions in order (Johnson 1987: 29). He also points out that image schemata are more general and more abstract than concrete rich images, consisting of a small number of parts and relations, by virtue of which they can structure indefinitely many perceptions, images and events (Johnson 1987: 29). Examples of such metaphorical expressions are presented in Section 5 of this paper.

There are various criteria according to which conceptual metaphors can be classified. On the basis of cognitive functions that metaphors perform, Lakoff and Johnson suggest three types of conceptual metaphor: structural, ontological, and orientational (2003: 14, 25).

In the first type of conceptual metaphor, *structural metaphors*, "the source domain provides a relatively rich knowledge structure for the target concept" (Kövecses 2002: 33). Lakoff and Johnson define them as "cases where one concept is metaphorically structured in terms of another" (2003: 14). Such metaphors were touched upon earlier in this section when the metaphor ARGUMENT IS WAR was provided as an example. To further exemplify this kind of metaphor, Lakoff and Johnson suggest the TIME IS A MOVING OBJECT metaphor, illustrating it in sentences such as "The time for action has arrived" and "I look forward to the arrival of Christmas" (2003: 42). Kövecses provides the explanation for this metaphor by introducing the following mappings: "[t]imes are things. The passing of time is motion. Future times are in front of the observer; past times are behind the observer. One thing is moving, the other is stationary" (2002: 33). These mappings help us understand the nature of structural metaphors as it would be difficult to visualize abstract concepts without them.

*Ontological metaphors* offer something vastly different in that they help us perceive abstract experiences as tangible entities and they "provide much less cognitive structuring for target concepts than structural ones do" (Kövecses 2002: 34). Lakoff and

Johnson state that “[o]nce we can identify our experiences as entities or substances, we can refer to them, categorize them, group them, and quantify them – and, by this means, reason about them” (2003: 25). Inasmuch as these categories (e.g. substances, entities and containers) are too general, we don’t get to learn much about target concepts and “[t]his is, as has been seen, the job of structural metaphors, which provide an elaborate structure for abstract concepts” (Kövecses 2002: 34). This is why ontological metaphors are sometimes accompanied by structural metaphors. Let’s take a look at the MIND IS A POSSESSION metaphor in the phrase “my mind.” We know very little of this concept, but “[o]nce a “nonthing” experience has received the status of a thing through an ontological metaphor, the experience so conceptualized can be structured further by means of structural metaphors” (Kövecses 2002: 35). For example, we can apply the MACHINE metaphor to provide more structure, as in “My mind is *rusty* this morning” (Kövecses 2002: 35).

Another quintessential ontological metaphor is the CONTAINER metaphor, which is very frequent as we tend to perceive many abstract experiences as something that we can both move into or out of. Lakoff and Johnson perceive people as containers bounded by the surface of their own skin and thus separated from the rest of the world and they claim that “[w]e project our own in-out orientation onto other physical objects that are bounded by surfaces” (2003: 29). For instance, there is a CONTAINER metaphor in the sentence “There’s a lot of land in Kansas” because Kansas is a US state with clear boundaries (Lakoff/Johnson 2003: 30). These metaphors are based on the metaphorical extension of underlying image schemata related to our experience of physical containment and Johnson calls these schemata “an ordinary instance of image-schematic structure” adding that “[o]ur encounter with containment and boundedness is one of the most pervasive features of our bodily experience” (Johnson 1987: 21).

Finally, personification allows us to attribute human characteristics to abstract experiences and we can thus perceive it as an ontological metaphor. Lakoff and Johnson state that “[p]erhaps the most obvious ontological metaphors are those where the physical object is further specified as being a person” (2003: 33). For example, inflation is personified in the sentence “Inflation has attacked the foundation of our economy” (Lakoff/Johnson 2003: 33).

*Orientational metaphors*, the third and final kind of conceptual metaphor, deal with various spatial relationships between different concepts. Such relationships are binary-structured such as UP-DOWN, IN-OUT, FRONT-BACK or CENTRAL-PERIPHERAL (Kóczy 2018: 116). These metaphors “provide even less conceptual structure for target concepts than ontological ones. Their cognitive job, instead, is to make a set of target concepts coherent in our conceptual system” (Kövecses 2002: 35). For instance, MORE IS UP and LESS IS DOWN are typical orientational metaphors, which is exemplified in sentences like “My income *rose* last year” and “His income *fell* last year”. The physical basis for these metaphors is the following: “[i]f you add more of a substance or of physical objects to a container or pile, the level goes up” (Lakoff/Johnson 2003: 16). Orientational metaphors are highly entrenched metaphors and Johnson illustrates this by providing several examples of IN-OUT orientations that might occur in the first few minutes of an ordinary day such as waking *out* of a deep sleep and peering *out* from beneath the covers *into* your room (Johnson 1987: 30). He points out that “[i]n a few ordinary minutes you have performed

more orientational feats than you could ever keep track of [...] [a]nd these are only a fraction of *in-out* orientations, let alone those for *up-down*, *near-far*, *left-right*, *front-back*, *toward-away from*, and so forth" (Johnson 1987: 31). Orientational metaphors are also based on the metaphorical extension of underlying image schemata. The OUT schema would be a perfect example. Johnson provides a sentence "Tell me your story again, but leave out the minor details" and analyzing it, he claims that it is "a primitive case of metaphorical extension of the preconceptual OUT schema" and adds that "the OUT schema, which applies prototypically to spatial orientation, is metaphorically projected onto the cognitive domain" (Johnson 1987: 34).

Conceptual metaphors can also be classified according to other respects, e.g. conventionality. The term *conventional metaphors* is used "in the sense of well established and well entrenched" and "speakers of English use them naturally and effortlessly for their normal, everyday purposes" (Kövecses 2002: 30). At the opposite end of the spectrum are *unconventional metaphors*, which Kövecses describes as metaphors that are "not worn out, clichéd linguistic expressions" and "we probably couldn't find these linguistic expressions in a dictionary or hear them every day from ordinary speakers for everyday purposes of communication" (Kövecses 2002: 31). He illustrates this through the LIFE IS A JOURNEY metaphor by providing two examples – "He had a head start in life" and "Two roads diverged in a wood, and I – I took the one less traveled by" (Kövecses 2002: 31) – the former of which is conventional and the latter (lines from "The Road Not Taken" by Robert Frost) is unconventional. Most examples provided in Section 5 of this paper instantiate conventional metaphors.

Although Lakoff and Johnson clearly stated in the 2003 edition of *Metaphors We Live By* that the original division of conceptual metaphors into structural, ontological and orientational was artificial as it might be quite difficult to tell the exact type in most cases (Lakoff/Johnson 2003: 264), this classification is used as the fundament for the purposes of this paper. The degree to which conceptual metaphor is used in the legal acts of the European Union is evaluated according to the presence of all three types in the selected corpus.

### 3. PREVIOUS RESEARCH

A multitude of other authors have studied figurative elements in legal language, claiming that metaphor is an inseparable part of it. Among others, Bosmajian (1992) examines the specific genre of judicial opinions and points out the great importance of figurative language for judicial decision making. Hibbitts (1994) analyzes the shift from visually-oriented to aurally-oriented figures of speech in legal language. Stålhammar explores grammatical metaphor and metonymy in EU documents and concludes that it is "frequently used in general Swedish language usage and would facilitate the writing, as well as the reading of Swedish European Union texts" (2006: 115). Twardzisz focuses on a corpus consisting of commercial contracts and asserts that "legal language employs metaphor as a convenient tool which makes the comprehension of otherwise abstract concepts easier" (2014: 251).

There is a vast number of different types of legal texts whose metaphorical dimension can be analyzed, ranging from statutes and legislation, court opinions and

judgements, wills and trusts to contracts and agreements. The main focus of this research is on examining conceptual metaphor in the very specific genre of legal acts – the EU acquis, which makes it different from the studies mentioned in the previous paragraph. Although Stålhammar's (2006) research also focuses on EU documents, it is still different in that it deals with the notion of grammatical metaphor, the term introduced by Halliday and Martin, who define it as "a substitution of one grammatical class, or one grammatical structure, by another" (1993: 79). This paper, on the other hand, centers around conceptual metaphor.

#### 4. METHODOLOGY AND CORPUS

This research uses a two-stage methodological framework:

- the *identification* of lexical units conveying metaphorical meaning
- the *analysis* of these lexical units by way of applying the basic principles of conceptual metaphor theory delineated in Section 2 to the identified metaphors

The first stage included the identification of a small specialized corpus relevant to this research. Three different legal acts comprising the secondary sources of European Union law were carefully chosen so as to differ with respect to the type of legal act and its subject matter. They were also chosen without any prior insight into the extent of the metaphorical and non-metaphorical usage of lexical units therein. In addition, with a view to making this research as contemporary as possible, it was ensured that the selected acts were published no earlier than January 2023. The length of the entire corpus is 9804 words. The acts that were selected as a corpus for the purposes of writing this paper are as follows:

- 32023R2419 – Regulation (EU) 2023/2419 of the European Parliament and of the Council of 18 October 2023 on the labelling of organic pet food (published in the *Official Journal of the European Union* on 27 October 2023) – 2355 words
- 32024L1654 – Directive (EU) 2024/1654 of the European Parliament and of the Council of 31 May 2024 amending Directive (EU) 2019/1153 as regards access by competent authorities to centralised bank account registries through the interconnection system and technical measures to facilitate the use of transaction records (published in the *Official Journal of the European Union* on 19 June 2024) – 3514 words
- 32023D1461 – Decision (EU) 2023/1461 of the European Parliament and of the Council of 12 July 2023 providing macro-financial assistance to the Republic of North Macedonia (published in the *Official Journal of the European Union* on 17 July 2023) – 3935 words

Selecting the appropriate corpus was followed by identifying lexical units with metaphorical meaning within the aforementioned legal acts, which was a lengthy process accounting for most of this research. However, not all the lexical units were listed in the corresponding section of this paper due to its limit regarding length. Instead,



only a portion of these units was provided and the selection was made according to their frequency and diversity with regards to the type of conceptual metaphor. The identification process itself was conducted using a method called the Metaphor Identification Procedure (MIP), which was established by a group of scholars known as Pragglejaz Group (2007). This procedure was developed with the aim of creating a unique, explicit and reliable method that can be used by scholars for research projects of various kinds since linguists often “differ in their intuitions about what constitutes a metaphoric word or phrase” and because they “often do not provide criteria in their empirical investigations for specifying what is, and what is not, metaphorical” (Pragglejaz Group 2007: 1–2). The MIP is a highly detailed procedure since adopting it means carefully analyzing every single lexical unit in the text/discourse in an attempt to determine whether it bears any metaphorical meaning. Having picked out every lexical unit (usually just one word), their meaning in context should be established, whereupon it should be determined whether they have a more basic contemporary meaning (more concrete, related to bodily action, more precise or historically older). If the unit does have a more basic meaning and if the contextual meaning contrasts with the basic meaning but can be understood in comparison with it, that lexical unit can be marked as metaphorical (Pragglejaz Group 2007: 3).

The second stage of the research was the analysis of the lexical units selected in the first stage in terms of how they relate to conceptual metaphor theory, the outline of which is provided in Section 2 of this paper. In other words, every metaphorical expression identified in the first stage and listed in the corresponding section of this paper is analyzed and presented in the form of the primary conceptual pattern behind conceptual metaphor – TARGET DOMAIN IS SOURCE DOMAIN. Getting from metaphorically used words to this pattern is done according to the method proposed by Gerard Steen (1999). He was the first scholar in cognitive linguistics to tackle this issue, the process he described as building “a bridge between linguistic and conceptual metaphor by proposing a series of five analytical steps. Together they may form the beginning of a procedure for conceptual metaphor identification in discourse” (Steen 1999: 57). He also tried to explain what leads linguists to arrive at certain conceptual mappings in departing from metaphorical expressions in discourse (Steen 1999: 58). In the 2011 version of the method, the five steps are as follows:

1. Identification of metaphor-related words
2. Identification of metaphor-related propositions
3. Identification of open metaphorical comparison
4. Identification of analogical structure
5. Identification of cross-domain mapping (Steen 2011: 94)

Steen applies the steps to the sentence “Lakoff attacked Glucksberg” (2011: 94). The first step of the procedure is “the identification of any metaphor-related words in a stretch of text” (Steen 2011: 94), which corresponds to the MIP, and it is the word “attacked” that is used metaphorically in this example. The second step is the identification of metaphor-related propositions in which “non-metaphor related words are indexed as evoking target-domain concepts whereas metaphor-related words are indexed as

evoking source-domain concepts” (Steen 2011: 95). The corresponding proposition in this case would be:

P1 (ATTACKS LAKOFF GLUCKSBERG) (Steen 2011: 94)

Deignan describes the third step as a procedure in which “the proposition is rewritten as two incomplete propositions, one for the source domain, one for the target domain” (2017: 105), which produces:

SIM {*F*, *x*, *y*  
[*F* (LAKOFF, GLUCKSBERG)]*t*  
[ATTACK (*x*, *y*)]*s*} (Steen 2011: 94)

In this notation, *F* indicates an activity that is not explicitly denoted, *x* and *y* indicate entities that are not explicitly denoted and SIM denotes similarity, the analogy derived from which comprises Step 4 (Deignan 2017: 105), which is as follows:

SIM  
[CRITICIZE (LAKOFF, GLUCKSBERG)]*t*  
[ATTACK (ATTACKER, ATTACKED)]*s* (Steen 2011: 94)

In the last step, “the source-target domain mapping is constructed, which, in terms of CMT, generates a conceptual metaphor” (Deignan 2017: 105). The mapping is ordered according to the format popularized by cognitive linguists and the most likely label in this example would be CRITICISM IS ATTACK or ARGUMENT IS WAR, which is a more general label based on a more encompassing set of data (Steen 2011: 96–97).

Finally, the explication of the results obtained and discussion on these results are provided in this paper as a separate subsection with the aim of creating a link between the listed examples and analyzing the corpus as a whole. That is to say, the entire corpus is studied with regards to the usage of all three types of conceptual metaphor in it – structural, ontological and orientational.

One of the limitations of this research is a relatively small corpus consisting only of legal acts of the secondary sources of European Union law. To increase diversity, three different types of legal acts were chosen – one regulation, one directive and one decision. On the other hand, there are advantages of using small specialized corpora. For instance, they allow a much closer link between the corpus and the contexts in which the texts in the corpus were produced. In addition, while very large corpora give insights into patterns in the language as a whole, smaller specialized corpora give insights into patterns of language use in particular settings (Koester 2010: 67). Finally, since specialized corpora are carefully targeted, they are more likely to reliably represent a particular register or genre than general corpora (Koester 2010: 69).

The final stage aims to show that all the aforementioned types of conceptual metaphor are present in each of the three acts. Still, the results are by no means meant to generalize the main hypothesis of this research and broaden it to a wider corpus. Instead, this paper aims to conduct outreach regarding metaphorical expressions in



legal language to other linguists and researchers and bring about further discussion and analysis.

## 5. PRESENT RESEARCH AND RESULTS

### 5.1. METAPHOR IDENTIFICATION AND QUALITATIVE ANALYSIS

The first stage of the research is related to the identification of metaphorical expressions using MIP (Pragglejaz Group 2007) in all three legal acts the corpus is comprised of. These documents abound in such expressions, making it virtually impossible for all of them to be analyzed in this section. Therefore, emphasis is laid on pinpointing several representative metaphorical expressions of each type in every document so as to exemplify the diversity of such expressions. Examples of certain subtypes of conceptual metaphor are also presented in this section. For instance, CONTAINER metaphors and metaphors arising from personification are subgroups falling into the category of ontological metaphors and examples of lexical units that belong to these two subcategories are also provided in this section.

Two very important points should be stressed before the list of examples is provided. Firstly, it is sometimes very difficult to tell whether a word bears a metaphorical meaning or not. The scholars of Pragglejaz Group state that they “also disagreed over certain cases, and sometimes had different reasons for supporting the same judgments as to whether a specific word should be judged as metaphorical” (Pragglejaz Group 2007: 13). And secondly, placing metaphors in one of the three categories can be quite arbitrary. Lakoff and Johnson argue that “[a]ll metaphors are structural (in that they map structures to structures); all are ontological (in that they create target domain entities); and many are orientational (in that they map orientational image schemas)” (Lakoff/Johnson 2003: 264).

#### 5.1.1. REGULATION (EU) 2023/2419

1. *[T]he pet food sector has a role to play in contributing to the objectives of the European Green Deal[.]* (Preamble to Regulation (EU) 2023/2419)

role

(a) *contextual meaning*: In this context, “role” indicates that the pet food sector is one of the contributors to the objectives of the European Green Deal.

(b) *basic meaning*: The basic meaning of the word “role” implies a character assigned or assumed or a part played by an actor or singer (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: By way of mapping the concept of playing a role to the concept of contribution, we can understand that the pet food sector is one of many contributors to the objectives of the European Green Deal.

*Conceptual metaphor*: CONTRIBUTION IS A PLAY (structural metaphor)

2. *Moreover, such feed cannot bear the organic production logo of the European Union.* (Preamble to Regulation (EU) 2023/2419)

bear

(a) *contextual meaning*: In this context, “to bear” means having a production logo on the pack of the product.

(b) *basic meaning*: The basic meaning of the word “bear” implies supporting the weight of something (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: We can understand that “bearing a logo” means having a logo printed on the pack. In this example, a physical object is specified as being a person (a bearer), which is another example of ontological metaphor (it was mentioned in Section 2 of this paper that personification falls into the category of ontological metaphors). In addition, metaphorically using the word “bear” further implies that the object in this sentence, which is the organic production logo, can be perceived as a burden, which is a typical object following the verb “to bear.” This helps us better understand the concept of logo on account of the concept of burden being a more concrete and more tangible entity.

*Conceptual metaphor*: A PACK IS A BEARER / A LOGO IS A BURDEN (ontological metaphor)

The word “bear” is also used metaphorically in Decision (EU) 2023/1461, but the context is slightly different so it is explicated separately in Subsection 5.1.3.

3. [T]he Union may adopt measures, in accordance with the principle of subsidiarity[.] (Preamble to Regulation (EU) 2023/2419)

adopt

(a) *contextual meaning*: In this context, “to adopt measures” means choosing a plan or method for dealing with a situation or problem.

(b) *basic meaning*: The basic meaning of the word “adopt” suggests taking someone or something by choice into a relationship such as taking a child born to other parents voluntarily as one’s own (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: We can understand that “adopting measures” means choosing a method for dealing with a situation, even though this sentence provides no information pertaining to a child being voluntarily taken by someone other than its parents as their own.

*Conceptual metaphor*: MEASURES ARE CHILDREN (ontological metaphor)

This example was selected on account of its frequent usage in all legal acts of the secondary sources of European Union law. Concluding the preamble to every regulation/directive/decision with *has/have adopted this regulation/directive/decision* makes this conceptual metaphor highly entrenched in all of the aforementioned types of legal acts. It is also very frequent in other parts of legal acts as well, not just at the very end of the preamble.

4. *consumer confidence and fair competition between operators in the pet food sector* (Preamble to Regulation (EU) 2023/2419)

in

(a) *contextual meaning*: In this context, it is clear that the phrase “operators in the pet food sector” refers to people whose job is in one way or another related to the production of or trade in pet food.

(b) *basic meaning*: The basic meaning of “in” suggests that it is used as a function word to indicate inclusion, location or position within limits (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: We can understand that the operators in question are not physically positioned or located inside anything. Instead, they are simply employees whose field of work is related to pet food.

*Conceptual metaphor*: PET FOOD SECTOR IS A CONTAINER (ontological metaphor)

5. *Having regard to the opinion of the European Economic and Social Committee* (Preamble to Regulation (EU) 2023/2419)

of

(a) *contextual meaning*: In this context, the word “of” suggests possession since it is part of a Norman (analytic) genitive construction.

(b) *basic meaning*: The basic meaning of the word “of” is manifold. Being a function word, it can indicate a point of reckoning, origin, cause, parts, belonging or a possessive relationship (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The contextual meaning of the word “of” corresponds to one of its basic meanings. However, it implies one entity possessing another entity which is abstract. Once conceptualized as such, similarly to the conceptual metaphor MIND IS A POSSESSION, which is mentioned in Section 2 of this paper, an abstract experience receives the status of a real experience through an ontological metaphor.

*Conceptual metaphor*: AN OPINION IS A POSSESSION (ontological metaphor)

6. *Under that Regulation, non-organic ingredients of agricultural origin may be authorised for all types of organic feed[.]* (Preamble to Regulation (EU) 2023/2419)

under

(a) *contextual meaning*: In this context, “under” means “according to” or “in line with.”

(b) *basic meaning*: The basic meaning of the word “under” indicates being in a position below or beneath something (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The contextual meaning of the word “under” implies that certain rules set out in the regulation have to be followed by those to whom that regulation applies. In other words, those who are subordinate have to abide by the rules laid down by those who are superordinate. In this particular case, permission is granted to companies operating in the pet food sector to use non-organic ingredients of agricultural origin in the production of all types of organic feed. That is to say, if it weren't for the superordinate (the Regulation) to give this permission, the subordinates (the companies) would not be able to legally produce organic feed in the aforementioned way.

*Conceptual metaphor: SUBORDINATE IS DOWN* (orientational metaphor)

### 5.1.2. DIRECTIVE (EU) 2024/1654

7. [m]easures to facilitate access to law enforcement information by Financial Intelligence Units (FIUs) for the prevention and combating of money laundering (Article 1(1)(a) of Directive (EU) 2024/1654)

combating

(a) *contextual meaning*: In this context, if used as a verb, “combat” means attempting to stop something harmful from happening.

(b) *basic meaning*: The basic meaning of “combat” is to engage in a fight (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The concept of physically fighting someone or something is mapped onto the concept of prevention, which is less concrete, and it makes it easier for us to understand that combating money laundering means stopping or preventing money laundering because we perceive it as an adversary that should be fought.

*Conceptual metaphor: PREVENTION IS COMBAT* (structural metaphor) / *MONEY LAUNDERING IS AN ADVERSARY* (ontological metaphor)

The word “combat” is metaphorically used twice in this Directive (the other one can be seen in Example 8 of this paper). The word “fight” can be metaphorically used in a very similar fashion to “combat” and there are three examples of this in Decision (EU) 2023/1461, one of which is provided below:

*North Macedonia should take appropriate measures relating to the prevention of, and fight against, fraud, corruption and any other irregularities linked to that assistance.* (Preamble to Decision (EU) 2023/1461)

8. *combating serious criminal offences [...] by swiftly tracing, freezing and confiscating illegally obtained assets* (Preamble to Directive (EU) 2024/1654)

freezing

(a) *contextual meaning*: In this context, freezing assets suggests officially and legally preventing their use.

(b) *basic meaning*: The basic meaning of “freeze” is to become congealed into ice by cold (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The basic meaning of freezing, which is nothing other than a phase transition from a liquid state of matter into a solid state of matter, suggests restricting or completely preventing any movement. For example, liquids, unlike solids, always fill its container and take on a new shape. This prevention is mapped onto a new concept in this example and we can understand that it is the use of assets that is prevented.

*Conceptual metaphor*: PREVENTION IS FREEZING (structural metaphor)

9. *procedural rights, including the right to an effective remedy and to a fair trial* (Preamble to Directive (EU) 2024/1654)

remedy

(a) *contextual meaning*: In this context, the word “remedy” is used the way it is normally used in legal English and it indicates a legal means of finding a solution or solving a problem.

(b) *basic meaning*: The basic meaning of “remedy” is a medicine, application or treatment that relieves or cures a disease (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The contextual meaning suggests solving a problem, but the basic meaning also indicates solving a problem by way of curing a disease, which makes it easier for us to understand the meaning of the word “remedy” in this example.

*Conceptual metaphor*: SOLVING A PROBLEM IS A CURE (structural metaphor)

10. *Member States shall ensure that technical and organisational measures are in place to ensure the security of the data to high technological standards[.]* (Article 1(5)(b) of Directive (EU) 2024/1654)

high

(a) *contextual meaning*: In this context, the word “high” indicates the level of quality and, in this case, it means “good.”

(b) *basic meaning*: The basic meaning of the word “high” is to be rising or extending upward a great distance or to be taller than average, usual or expected (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The basic meaning of the word “high” implies a physical feature having nothing to do with the level of quality. Still, we can understand that the phrase “high standards” means “standards of good quality” because we tend to perceive things that are higher than others as something positive, whereas things that are lower than others are perceived as something negative.

*Conceptual metaphor*: GOOD IS UP (orientational metaphor)

Mapping a vertical spatial concept onto the concept of quality is a quintessential orientational metaphor. This metaphor ascribes positive features to entities that are up, high or rising, whereas entities that are down, low or falling are portrayed as negative.

5.1.3. DECISION (EU) 2023/1461

11. *[T]he Commission put that request on hold because the country's economy was still proving quite resilient at the time[.]* (Preamble to Decision (EU) 2023/1461)

on hold

(a) *contextual meaning*: In this context, the phrase “on hold” implies being in a state of intentional and indefinite suspension.

(b) *basic meaning*: The basic meaning of “on hold” is that of being “in a state of interruption during a telephone call when one party switches to another line without totally disconnecting the other party” (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: This example is based on the BLOCKAGE schema, which Johnson describes as “obstacles that block or resist our force” (Johnson 1987: 45). In this sentence, the process of responding to the request is delayed because of the economy being resilient. In other words, the economy acts as a sort of blockage.

*Conceptual metaphor*: ECONOMY IS A BLOCKAGE (structural metaphor)

12. This decision shall enter into force on the third day following that of its publication in the Official Journal of the European Union. (Article 9 of Decision (EU) 2023/1461)

enter

(a) *contextual meaning*: In this context, “to enter” means to make a legal act valid or operative.

(b) *basic meaning*: The basic meaning of the word “enter” is that of going or coming in (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The concept of entering is an example of the JOURNEY metaphor and it is mapped onto the concept of passing a law. This metaphor is based on the FROM-TO or PATH schema, which “consists of three elements (a source point A, a terminal point B and a vector tracing a path between them) and a relation (specified as a force vector moving from A to B)” (Johnson 1987: 28). In this particular example, the decision makes a journey (the process of entering, which stands for the vector) from not being in force (the source point) to being in force (the terminal point).

*Conceptual metaphor*: PASSING A LAW IS A JOURNEY (structural metaphor)

This metaphor is deeply entrenched in this kind of discourse since it is stated at the very end of every legal act that it shall enter into force on a specified day.

13. North Macedonia shall bear all costs incurred by the Union which relate to the borrowing and lending operations under this Decision. (Article 5(4) of Decision (EU) 2023/1461)

bear

(a) *contextual meaning*: In this context, “to bear” means to pay all costs incurred by the Union.

(b) *basic meaning*: The basic meaning of the word “bear” implies supporting the weight of something (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning*: The concept of bearing something is related to bodily action. Therefore, being a more concrete entity, it is mapped onto



the concept of paying. In addition, similarly to the word “logo” in Example 2 in this subsection, the word “costs” can be perceived as a burden, which is a typical object following the verb “to bear.”

*Conceptual metaphor:* PAYING IS BEARING (structural metaphor) / COSTS ARE A BURDEN (ontological metaphor)

14. *Considering the potentially significant impact of assistance of more than EUR 90 000 000, it is appropriate that the examination procedure as specified in Regulation (EU) No 182/2011 be used for operations above that threshold.* (Preamble to Decision (EU) 2023/1461)

above

(a) *contextual meaning:* In this context, the word “above” indicates a sum of more than 90 million euros.

(b) *basic meaning:* The basic meaning of the word “above” is that of being in or moving to a higher place (Merriam-Webster n.d.).

(c) *contextual meaning versus basic meaning:* The contextual meaning of the prepositional phrase “above that threshold” implies more money than the aforementioned sum and it is expressed using a word indicating a physical position. In other words, more money is associated with being physically positioned in a higher place, and analogous to that, less money is associated with being physically positioned in a lower place.

*Conceptual metaphor:* MORE IS UP (orientational metaphor)

## 5.2. RESULTS AND DISCUSSION

After the completion of the first two stages of the research, namely the identification and analysis of the selected group of metaphors, the third and final stage deals with looking into these metaphors in a broader sense. The chosen examples have been analyzed on an individual basis thus far in this paper. These analyses were presented according to the format proposed by Pragglejazz Group, the outline of which was provided in Section 4. The aim of this section is to find a link between these examples and analyze the entire corpus with regards to the frequency of conceptual metaphors being used and their diversity.

The main goal of the identification stage was to identify conceptual metaphors of all three types (according to the classification suggested by Lakoff and Johnson, which is mentioned in Section 2). Using MIP, an exceptionally large number of metaphorical expressions was identified in the three acts the corpus is comprised of. Not all of them were selected for individual analysis in the previous subsection. Instead, only the ones that are more representative of the three types of conceptual metaphor and more similar to the examples provided in Section 2 were examined in great detail. All metaphorical expressions identified in the corpus brought about a total of 35 mappings.

Structural metaphors, the first type of conceptual metaphors, are used in all three acts as exemplified in the previous subsection. Various concepts belonging to the source domain, namely PLAY, COMBAT, FREEZING, CURE, BLOCKAGE, JOURNEY and BEARING, are mapped onto concepts which are less concrete such as CONTRIBUTION, IMPLEMENTATION, PREVENTION, SOLVING A PROBLEM, ECONOMY, PASSING A LAW and PAYING. Many of the metaphors arising from these source domain concepts are used multiple times, in more than one act and they are often mapped onto different target domain concepts, which can be seen in the table below:

target domain	source domain	times used (density – count per 1,000 words)	documents
CONTRIBUTION IMPLEMENTATION	PLAY	2 (0.204)	Regulation (EU) 2023/2419 Directive (EU) 2024/1654
PREVENTION	COMBAT	2 (0.204)	Directive (EU) 2024/1654
PREVENTION	FIGHT	3 (0.306)	Decision (EU) 2023/1461
PREVENTION	FREEZING	3 (0.306)	Directive (EU) 2024/1654
SOLVING A PROBLEM	CURE	1 (0.102)	Directive (EU) 2024/1654
ECONOMY	BLOCKAGE	1 (0.102)	Decision (EU) 2023/1461
PASSING A LAW	JOURNEY	8 (0.816)	Regulation (EU) 2023/2419 Directive (EU) 2024/1654 Decision (EU) 2023/1461
PAYING	BEARING	2 (0.204)	Decision (EU) 2023/1461

**Figure 1.** Structural metaphors

Ontological metaphors are more numerous than any of the other two types on account of a virtually endless list of CONTAINER and POSSESSION metaphors, both of which are highly entrenched and sometimes difficult to identify as metaphors. For instance, it is stated in one of the final articles of every single regulation, directive and decision that it shall enter into force on a specified day following its publication in the *Official Journal of the European Union*, which is an example of a CONTAINER metaphor because of the word “in” not denoting the physical location or position of anything. In addition, countless instances of the word “of” denoting possession indicate a plethora of POSSESSION metaphors. There is a multitude of metaphors arising from personification and a few of them were analyzed in the previous subsection. Such metaphors, along with a selection of the other ontological metaphors identified in the corpus, are listed in the table below:

<b>target domain</b>	<b>source domain</b>	<b>times used (density – count per 1,000 words)</b>	<b>documents</b>
PACK NORTH MACEDONIA	BEARER	3 (0.306)	Regulation (EU) 2023/2419 Decision (EU) 2023/1461
LOGO COSTS	BURDEN	3 (0.306)	Regulation (EU) 2023/2419 Decision (EU) 2023/1461
MEASURES RULES REGULATION DIRECTIVE SPECIFICATIONS ACTS MEMORANDUM DECISION BUDGET	CHILDREN	15 (1.530)	Regulation (EU) 2023/2419 Directive (EU) 2024/1654 Decision (EU) 2023/1461
MONEY LAUNDERING PREDICATE OFFENCES TERRORIST FINANCING CRIMINAL OFFENCES CORRUPTION ORGANIZED CRIME FRAUD IRREGULARITIES	ADVERSARY	5 (0.510)	Directive (EU) 2024/1654 Decision (EU) 2023/1461

**Figure 2.** Ontological metaphors

There is a very limited number of different orientational metaphors to be found in the corpus. However, the word “under,” when conveying the same meaning as “according to,” is quite frequent and is metaphorically used as many as twenty times in all three acts. This metaphor implies that those who are “under” are subordinate to their superordinate counterparts, which range from regulations, directives and decisions to law, rules, procedures and arrangements. Selected orientational metaphors are provided in the table below:

target domain	source domain	times used (density – count per 1,000 words)	documents
SUBORDINATE	DOWN	20 (2.040)	Regulation (EU) 2023/2419 Directive (EU) 2024/1654 Decision (EU) 2023/1461
GOOD	UP	1 (0.102)	Directive (EU) 2024/1654
MORE	UP	8 (0.816)	Regulation (EU) 2023/2419 Decision (EU) 2023/1461

**Figure 3.** Orientational metaphors

## 6. CONCLUSION

The research presented in this paper examined the usage of conceptual metaphor in legal discourse, the identification of which was done according to the combination of the procedure established by Pragglejaz Group (2007) and the method proposed by Steen (1999). Having identified the metaphors, the results were presented in the format proposed by the same group of scholars with a view to proving the main hypothesis behind this research, which states that conceptual metaphors constitute an integral part of the language of the law, despite the widely accepted belief that there are no such expressions in legal discourse. The results set forth in the previous section confirm that the hypothesis is plausible – the corpus does include numerous words that are metaphorically used, bringing about a diverse range of conceptual metaphors of all three types (structural, ontological and orientational) in all the acts comprising the corpus of this research. Most of the examples listed in Section 5 instantiate conventional metaphors and many of them appear several times and in more than one act, having their source domain concepts mapped onto various target domain concepts.

To conclude, the reasons behind legal discourse making use of conceptual metaphors are twofold. Firstly, since the language of the law is full of terms and phrases that denote abstract concepts, most of which are not easily accessible to lay people, it resorts to the use of metaphor in order to make the comprehension of such terms and phrases easier. And secondly, as Lakoff and Johnson claim that “most of our normal conceptual system is metaphorically structured” (2003: 56), there is no reason why legal language, as a variety of language for specific purposes, should be left immune to it, as the arbitrary dichotomy between LGP and LSP should not be understood as a borderline for the use of metaphor (Twardzisz 2014: 251).

Other authors have also examined figurative elements in legal discourse (see Section 3), but what makes this research different is that it focuses on the usage of the conceptual metaphor types of the original classification suggested by Lakoff and Johnson in 1980. Also, the corpus of this research is different in that it centers on a very specific type of legal discourse – the EU acquis.

The findings presented in this paper are obtained from analyzing a small specialized corpus and no general conclusions are meant to be drawn based on these findings. The study could be extended to a larger corpus, possibly including legal acts other than those belonging to EU law, in order to gather more quantitative and qualitative data supporting the use of metaphor in legal discourse.

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## SUMMARY

### EXAMINING CONCEPTUAL METAPHOR IN THE LEGAL DISCOURSE OF THE EU ACQUIS

This paper analyzes conceptual metaphors in a small specialized corpus comprising three legal acts from the EU acquis: a regulation, a directive, and a decision. It challenges the long-held assumption that legal discourse is devoid of figurative language by demonstrating that conceptual metaphors are an inherent and functional element of legal texts. The study is grounded in Conceptual Metaphor Theory, as introduced by Lakoff and Johnson (2003), which classifies metaphors into three main types – structural, orientational and ontological metaphors – and the extent to which each of these types is present in the corpus is evaluated. To identify metaphorical expressions and their underlying mappings, the research employs two complementary methods: the Metaphor Identification Procedure (MIP), which is developed by Pragglejaz Group (2007), and Steen's five-step method (1999), which reveals conceptual mappings following the TARGET DOMAIN IS SOURCE DOMAIN model. An individual analysis of a selected group of examples is presented according to the format which is also proposed by Pragglejaz Group (2007). The findings confirm that all three metaphor types permeate the legal texts analyzed. Ontological metaphors are the most prevalent, dominated by recurring CONTAINER and POSSESSION metaphors, along with a multitude of metaphors arising from personification. Structural metaphors are also widely used in all three acts, with PASSING A LAW IS A JOURNEY being the most common mapping. Orientational metaphors appear less frequently, primarily as SUBORDINATE IS DOWN and MORE IS UP mappings. Many metaphorical expressions occur repeatedly across legal acts, with varied source domains mapped on a range of target domain concepts. In total, 35 mappings are identified in the corpus, most of which instantiate conventional metaphors. The word "under" is the most frequent metaphorically used word in the corpus. This analysis affirms that legal language abounds in metaphorically used expressions, bringing about a diverse range of conceptual metaphors of all three types, which play a significant role in structuring legal meaning and conceptualizing abstract legal principles within the EU legislative framework.

**KEYWORDS:** conceptual metaphor, mapping, legal discourse, EU law, Pragglejaz Group.

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