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## **Multimodal Metaphor in Public Discourse on Legal Issues: the Case of TED Talks**

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Humanities

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## I. List of abbreviations

CM	Conceptual metaphor
CMT	Conceptual Metaphor Theory
Fig.	Figure
LM	Linguistic metaphor
MIP(VU)	Metaphor Identification Procedure
MIP-G	Metaphorical gesture Identification Procedure
No.	Number of an example in the Excel sheet
SD	Source domain
TD	Target domain

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### III. Abstract

This paper examines multimodal metaphors in the public discourse of legal issues. It relies on Lakoff and Johnson's (1980) Conceptual Metaphor Theory as well as Cienki and Müller's (2008) theoretical framework of studying verbo-gestural metaphor. The study is carried out on multiple levels as it focuses not only on transcripts of spoken text, but also on the speakers' co-speech gestures. In order to study both modalities of metaphor expression, TED talk conference speeches on various legal issues were chosen as the material for metaphor identification and analysis. The study reveals that TED speakers are prone to use metaphoric speech without gestures or metaphoric speech with non-metaphorical gestures. The results of the analysis reveal that in most cases, speakers choose to personify, objectify legal issues, or conceptualise them as machines or buildings. The occurrence of metaphoric speech with metaphoric gestures, where the target domain is different in each modality also appeared to be common. The least common type of verbo-gestural metaphor to occur in the corpus was non-metaphoric speech occurring in synchrony with metaphoric gestures. The research describes the procedure, proposed by Pragglejaz (2007) and Cienki (2018), that was applied to study legal metaphors in verbal and gestural modes, as well as the findings and discussion, following the categorisation of verbo-gestural metaphors, proposed by Cienki (2018). Despite having some limitations, this study adds to the scarce research of verbo-gestural metaphors in relation to legal issues.

#### Keywords

*Conceptual metaphor, multimodal metaphor, verbo-gestural metaphor, legal discourse, cognitive linguistics, gestures*

#### IV. Introduction

Nowadays interdisciplinary studies in linguistics are becoming more valued as language is examined from different perspectives, which gives scholars from various fields a deeper insight into human brain, conceptualisation system, interpersonal, and intercultural communication, etc. By conducting interdisciplinary research, one reveals the complexity of language as it unifies a variety of fields, such as human consciousness and cognition, as well as the other phenomena, such as spoken discourse, scientific papers, journalese, philosophy, metalinguistic research, legal writings, etc. Research where one field is combined with seemingly distant research fields enrich our understanding of the way the language is used. This paper is an example of an interdisciplinary study of conceptual metaphor expressed by two distinct modalities, namely, the verbal and the gestural ones in a specific (legal) discourse. Such combination of research fields, i.e., cognitive linguistics and legal studies of LSP (language for specific purposes), is not the most common, even though the pioneers in conceptual metaphor research started to turn to legal discourse in late 1980s (e.g. Winter 1989). Legal discourse has attracted more researchers from linguistics ever since as it has a distinct lexicon, syntax, complexity of the issues it is concerned with (Bulcke 2013, Mattila 2013, Stepanova 2017, Vigier & Sanchez 2017).

It would not have been possible without the contribution of Lakoff and Langacker (1987) who combined the ideas of psychology and linguistics into one and coined the term *cognitive linguistics*. This approach to language study, as the name reflects, is mainly concerned with the processes within our minds, the reciprocal relationship between language and thought and the way it then evolves (Robinson and Ellis 2008). Thus, this research explores the idea that language and thought are intertwined and have an influence on one another, i.e., we unconsciously use metaphors to reason about abstract notions, such as legal issues.

Metaphor nowadays is understood as a cognitive tool, used to conceptualise abstract notions and found in everyday language and specialised domains as opposed to the traditional understanding of metaphor as a poetic device employed for literary purposes. According to metaphor researchers, metaphors are independent from modality and are “products of a cognitive process (the activation or creation of metaphoricity), and that their nature is dynamic (metaphoricity is a dynamic feature of metaphors as they are used)” (Cienki and Müller 2008: 222)., it is particularly interesting to combine the study of spoken language and gestures in order to see if metaphors uttered in speech correspond to those that may occur in speakers’ body language, i.e., gestures, whether certain patterns of conceptualisation could be traced in speech.

We generally tend to read the speaker's emotions, attitudes, listen to their tone of voice, etc. to fully grasp what is being said. Most researchers agree that the primary use of verbal channel is for conveying general information, whereas the non-verbal mode conveys attitudes, and might even be used instead of verbal clues (Pease 1981). It is clear that gestures have a substantial influence on the overall meaning conveyed by the speaker. Not only behavioural scientists and public speakers, but also cognitive linguists have also sparked interest in this research as it is of particular interest to study legal discourse to trace common patterns metaphorisation of legal concepts and issues. Metaphor in this context may be treated as a tool which helps to grasp abstract notions, such as incarceration, court hearings, justice, equal rights, etc. By applying rigorous methodology, scholars are able to study and explain how metaphors are rendered in various modalities, for example, in speech and co-speech gestures.

Metaphoric speech and gesture used simultaneously can be understood as an embodiment of a conceptual metaphor (Gibbs, 2019). According to Gibbs (2019), such an act can even be defined as metaphorical performance where gestures could be seen as an integral part of speech – they occur simultaneously and cannot be separated; thus, metaphor occurs not only in speech, but in the gestures of the speaker and are integrated into our cognitive system. For example, a person saying, “back in the day” and waving their open palm towards their back at the same time shows that conceptual metaphor PAST IS BEHIND is rendered not only in spoken discourse, but in gestural modality, thus this conceptual metaphor is multimodal.

Previous research has examined multimodal metaphors across various discourses such as politics, sciences, media, and education utilising different modalities (pictorial, verbal) and different forms of language use (spoken, written) (e.g., Forceville 2007; Kappelhoff and Müller 2011). These studies have applied systematic research methods to ensure consistency and minimise subjective interpretations. While verbo-gestural metaphors have been studied in natural conversation (e.g., Chiu and Chiang 2011) and education contexts (e.g., Hongyu 2006; Larsson and Stolpe 2022), they have not received significant attention in the domain of legal discourse. Notably, legal discourse has primarily been examined through the monomodal expression of metaphors, most often in written discourse. Previous research on written legal discourse has revealed that legal matters are often conceptualised in terms of objects, machines, fighting or are sometimes perceived as personified, or having human-like features (e.g., Loughlan 2006; Urbonaitė 2017).

This paper aims to investigate verbo-gestural metaphors in legal discourse with the objective of uncovering prevalent patterns in the conceptualisation patterns of legal issues and examining how metaphor is expressed through verbal and gestural modalities. Legal issues include abstract and intangible notions that are inherently difficult to discuss without the use of



metaphors, which can potentially manifest in both verbal and gestural modes of expression. Thus, the present study focuses specifically on speeches and interviews that include reference to legal matters, considering them as suitable material for analysis of the verbo-gestural expression of metaphoricity. It is of particular interest to explore if there are any recurrent conceptual metaphors that emerge across multiple speakers' linguistic and gestural expressions in spoken legal discourse. A clear research gap exists in the study of verbo-gestural metaphor in legal discourse in English as few studies were done analysing the spoken discourse of lawyers and legal professionals together with the gestures that they use while talking about legal system.

The objective of this research is to examine verbo-gestural metaphor in TED speeches and address the following research questions: (1) What are the prevailing patterns of metaphorization in TED talks in public legal discourse?; (2) Which source domains are most commonly employed in the conceptualisation of legal issues?; (3) How do the verbal and the gestural modalities interact in the expression of metaphors by TED speakers?

## V. Literature review

### A. The study of metaphor

It is natural for people to turn to already existing information and adapt it to the current context. Metaphorical thinking is closely related to the principle of language economy: we use language “to achieve certain effect with reduced effort, or to enhance effect with given effort” (Huang and Xu 2006). It is easy for language users to take words and concepts that are easily understood, like notions related to our body, senses, objects we can touch, see and measure, and apply them to more abstract things that are more difficult to grasp.

That is exactly how people talk about legal issues: they usually personify or objectify complex notions in order to understand them, they think of them as actions, liquid, etc. It is practically impossible to talk about legal questions that do not have any tangible form, without using metaphoric expressions. To make sense of such intangible notions, our brain links it to concrete notions that physically exist in our world. Previous research has proven that metaphors are a common feature of our everyday language, and that an average speaker produces around 5 metaphors per minute (Pollio et al. 1977: 6) in contrast to the traditional view of metaphor being considered a poetic device. It has been noticed that metaphors are way more complex than was thought before and that they occur in different modes of expression, including pictorial, audio-visual and gestural modes of expression (Forceville 2007; Kappelhoff and Müller 2011; Pérez-Sobrino 2017). A study that has been quoted in multiple research papers on multimodal metaphor in other modes of expression was carried out by Forceville (2008) where

after having criticized CMT for only taking into account spoken language in his previous works, he carried out one more study of nine commercials to strengthen the point he was trying to publicise: metaphors do not occur in language only, they are used in commercials together with visual information, non-verbal cues to strengthen the idea it is selling. This idea later sparked a handful of research on non-verbal cues and pictorial mode of expression.

It is important for metaphor research to see the world of language and physical world as one – speakers borrow certain aspects of physical world and use it in conceptualising abstract notions in order to grasp them. This idea traces back to Lakoff and Johnson (1980) and their argumentation that human conceptual system is largely metaphorical. Widely known as Conceptual Metaphor Theory (CMT), it is used as the main theoretical framework for this study. It follows the idea that metaphors serve as a medium to conceptualise the world, namely, abstract things in terms of more concrete things (Lakoff and Johnson 1980; Kövecses 2000). It seems that a similar process happens in our brain as it does in speech: we talk about time as movement (e.g., *running out of time*), love as a container (e.g., *I am in love*), theory as a building (e.g., *my theory is based on*), etc. By mapping procedure, we take elements of seemingly contrastive domains and relate them in our brain. For example, people conceptualise love as a container (e.g., *to fall in love, to be in love*) or in other cases, they take certain elements from the concept of a building and map them onto the concept of a theory and, as a result, use building-related lexis to describe theories (e.g., *the foundation of the theory, solid argumentation, the scholars constructed their arguments carefully*). Mapping procedure explains which elements of the two domains are related: the basis of the theory is equal to foundation, arguments are like physical structure or framework, facts correspond to bricks, methodology is like tools used for building, etc. These two domains are referred to as *target* and *source domains* by Lakoff and Johnson (1980: 44): Target domain (TD) is the abstract item and source domain (SD) is the item whose features are mapped onto the abstract item and is usually a notion that refers to something more concrete and tangible. Common SDs include machines, body-related notions, animals, plants, objects, movement direction, etc. Common TDs are politics, law, economics, religion, science, societal problems, etc.

It is important to note that in the process of mapping the source domain is always mapped onto the target domain partially, i.e., in each metaphorical transfer speakers/writers only map some elements from the source and project them onto the target. If the mapping of the source domain elements was complete, we would not be able to separate abstract concepts from concrete ones as they would be the same concepts in our minds. In addition, it is also important to point out that a metaphorical transfer is governed by the principle of hiding and highlighting as it lets us comprehend one domain in terms of another by hiding unnecessary aspects and

highlighting only those that are relevant. To put it simply, we do not take into consideration inconsistent phenomena surrounding these concepts. For example, when we think about argument as a war, we hide the fact that arguing sometimes might also be a positive phenomenon, e.g., it can disclose new aspects about the topic that the participants learn from their ‘opponent’, the process of arguing or debating may be a pleasant intellectual undertaking with elements of playfulness, etc. If we conceptualised arguments in a different way, for instance, in terms of a dance, then the conceptualisation would shed more light on such aspects of arguing and debating as partnering, taking turns and enjoying the process without one party being the ‘winner’ and the other being the ‘loser’. Thus, since we rely on a specific source domain that is chosen to conceptualise the target domain in metaphorical mapping, every metaphor inherently emphasises certain aspects of the target domain and inevitably hides other aspects.

In the framework of CMT, it is important to distinguish between two concepts, namely, a linguistic metaphor (LM) and a conceptual metaphor (CM). According to Lakoff and Johnson (1980), conceptual metaphors govern our thoughts. In other words, they are a way for us to understand complex notions in terms of less complex ones (usually related to the body, main human senses, movement, interaction with the surrounding physical world, etc.). According to cognitive linguists and CMT proponents, linguistic metaphors are just the surface manifestation of CMs. Speakers make use of several SDs to understand one particular TD, so naturally, one can find numerous linguistic metaphors in a chosen text and they all might point to one conceptual metaphor. For example, conceptual metaphor TIME IS MONEY manifests in numerous linguistic metaphors: *I have invested a lot of time in this; you are running out of time; it is not worth your while.*

Lakoff and Johnson (1980) argued that CMs usually occur in speech unconsciously and they help us grasp the world around us and that they are constructed in our brain without any conscious effort based on mapping, hiding and highlighting. Although CMT developers and scholars who adhere to the cognitive approach to metaphor only use linguistic examples to demonstrate that metaphor governs human thought, it is important to note that metaphors can also occur in other modalities such as visual, gestural, etc. In other words, conceptual metaphors can manifest in more than one mode and sometimes simultaneously in several modes. That is where the concept of *multimodal metaphor* comes in. The term was coined by Forceville (1996) who developed the *Multimodal metaphor theory* by focussing on pictorial and verbo-pictorial metaphors in advertising and was expanded by Cienki and Müller (2008) who have extended the meaning of the term to involve metaphors expressed gesturally and verbo-gesturally. All the aforementioned scholars state that metaphor can occur in more than one modality

simultaneously. There are several different types of multimodal metaphor, however, this research only focuses on verbo-gestural metaphors. The term verbo-gestural means that metaphor occurs in language and co-speech gestures simultaneously. This type of multimodal metaphor realises cross-domain mapping during conceptualisation process of the abstract notion. For Cienki and Müller (2008: 9), “the description of a gesture as metaphoric involves the interpretation of a mapping between two domains” which basically means that the conceptualisation procedure takes place in two different modes – speech and gestures. For example, when uttering “three days ago” a person waves their palm towards the back over the shoulder showing that the past is conceptualised as something existing in the behind, so the conceptual metaphor PAST IS BEHIND is rendered through a metaphoric gesture.

Forceville’s (2007) study is a great example demonstrating that metaphors help speakers grasp complex notions and are used to ease the potential customers’ understanding of the products TV commercials are selling. He reasons that metaphor, occurring in several modes simultaneously (verbal, visual, gestural, sound, etc.), is attractive to the listener. He criticizes CMT for focusing on deeply embedded metaphors and overlooking the “creative metaphors” that occur in specific discourses, one-time situations or are context dependent. This paper encourages more context-based view on the conceptual metaphor and invites to study metaphor in less common discourses as well as to add to the reasoning that metaphor serves as a cognitive tool in various discourses and contexts.

Prior research in verbo-gestural metaphor studies is only gaining more attention as multimodality is relatively a new topic in linguistics, especially concerning legal discourse. One of the first ones to bring Lakoff and Johnson’s ideas to the study of gesture were McNeill and Levy (1982). They viewed gestures as a means to think about and talk about “ideas as if they were objects, and about communication as if it were a simple transfer of the ideas via a container (of words or texts) from one person to another” (Cienki and Müller 2008: 7).

Cienki and Müller (2008) could be considered leading scholars in this field as they were the ones to classify metaphorical gestures and argue that body language adds an additional layer of meaning that is conveyed while speaking. Müller argues that “metaphors are modality independent products of a general cognitive process, and that they are dynamic in several respects: metaphoricity is not restricted to single clearly bounded entities – be they linguistic expressions, gestures or concepts.” (Müller 2008: 219). She has found that metaphoricity depends on a person’s focal attention and that metaphors are in fact a cognitive tool used in several modes simultaneously.

A study carried out by Chui (2011) closely examines face-to-face conversations and the social meaning behind them while studying the participants’ body language. The researcher

focuses on classifying gestures and explaining what kind of meaning it adds to the communicational exchange while at the same time arguing that gesturing is a part of cognitive process that helps express one's thoughts in a more coherent way. Even though it was carried out with Chinese speaking participants, it still provides an insight on how deep the analysis of the meaning conveyed through body language could be. Chui's study once again grounds the idea that language and gestures are interrelated in communication, including the expression of figurative meaning.

Stickles (2016) carried out similar research to find out what kind of metaphors speakers produce when they talk about emotional experiences and tell stories. The data was collected from interviews, so it portrays raw, unscripted conversations. The findings show that English speakers are prone to talking about emotion as a path in contrary to strict movements, i.e. they talk about emotions as if it was a long journey or a path, but not a sudden or short action, so they stress the longevity of coming into the emotion, experiencing it, as well as coming out of it and that this idea is also realized by the gestures that the speakers use. The researcher speculated that gestures should correspond to verbal metaphors and her the data proves the hypothesis as she concludes that "speakers' mental representations are both imagistic and linguistic in nature" (Stickles 2016: 117). She proves that speakers use gestures to support and strengthen the points that they make verbally.

The linguistic research on the conceptualisation of legal issues is relatively scarce. As noticed by some scholars, "[h]and-gestures are the "articulators" that are closest to vocal language: they contribute to all levels of meaning, and they are syntactically, pragmatically, and semantically integrated with speech" (Müller et al. 2013: 3). That is why gestures will be studied in this research together with language by following 5 types of verbo-gestural metaphor, developed by Müller (2008), presented later in Data and Methods section.

## **B. Legal discourse and linguistics**

The Italian philosopher Giambattista Vico (Vico, in Danesi 2012) had a theory that there is not one, but three legal languages. Besides language being heroic and rationalistic, he also wrote about the divine state of language – the *fantasia* (imagination) as one of the main functions of the mind and language being of higher purpose. Therefore, Vico being called as the scientist of the imagination and disregarded in scientific literature for centuries. In Vico's reasoning, the study of the products of the *fantasia* (such as metaphors, images, law systems as he defines legal language, etc.) would make a difference in understanding the human mind as a whole. In his paper Danesi (2012) tries to incorporate the study of conceptual metaphors into Vico's study of legal language from late 17<sup>th</sup> century to gain some insights into the role of

figurative language in legal English nowadays and conceptualisation of such legal concepts as law, justice, etc. He provides arguments for legal language being as poetic as any other discourse since its primary function is to make the reader understand the logic of the text. It is quite shocking to find that even in the 17<sup>th</sup> century, philosophers tried to reason the complexity of legal language and the source of such peculiarity. Vico's arguments are logical and relevant to this day, after reading his works, it is difficult not to see that most scholars nowadays speak about the same problems, related to metaphors, human psyche and language, i.e., the function of metaphor, reasons behind choosing certain words and expressions for certain situations, the complexity of legal language, etc.

There is a particular discourse within the legal language that is often talked about when language, law and gestures are in question. It is the American legal system, where often spoken language and even non-verbal cues have a huge impact on the legal process. Take for example, the court proceedings in the U.S. It is clear that the spokesmen there have to sway the jury to their side, and they try to do that by employing different techniques, not only the tone of voice, hedging, the lexicon they choose to use, but non-verbal cues as well. The way they gesture while speaking about a certain subject matter might influence the way the jury judges the situation. Gesturing might seem as making just a slight difference, however, there is a considerable number of papers written on the power that body language, tone of voice and other behaviours has on the listener, or the decision-making jury in this case. For example, Hibbits (1994) argues that American lawyers and legal scholars are influenced by the American understanding of the importance of visual culture. Law in the U.S. has been regarded as abstract, objective, disengaging since the 19<sup>th</sup> century. This view has shifted after the influence of Western philosophers who encouraged visuality as the ultimate sense. The American legal system took this idea and eventually made it a core value of their jurisprudence. Hibbits (1994) argues that even though visuality has traditionally been associated with subjectivity, it is not always the case. In the case of U.S. legal system, it became a mode of expression, but it does not mean that Americans are more subjective when it comes to law than Western cultures. It is clear that gestures and other ways of non-verbal communication have an effect on the listener and when used together with metaphoric expressions, metaphoric gestures, they become more persuasive, as Hibbits (1994) puts it.

Language plays a significant role not only in American legal system, but it is a universal part of law, especially taking into account justice system as a subtype of law. In the justice system, such notions as consent expressed by words, waivers, perjuries, Miranda warning, interrogations, spoken testimonies, linguistic evidence, etc. are of great value to the judicial proceedings. Lawrence and Tiersma (2005) write about the ties between language and law from

different perspectives. One idea that is of particular interest is that “the field of linguistics has made great progress, especially in the past half century or so, yet many people remain woefully uninformed about the nature of human language” (2005: 10). This is problematic in the case where some judges or other legal specialists are unaware of the impact that language might have on the proceedings. The chapter in the book describes different scenarios of when language has an effect on legal problems and in most cases, people involved in these acts are unaware that with language and other communicative means one can influence a person, sway the jury towards a certain decision, draw non-verbal information out of them. The scholar states that it is important to educate the legal community about language and non-verbal cues and what kind of a role it plays in law. With this in mind, this study is a suitable example revealing how much information lies in non-verbal cues, how it might affect the listeners and how to use it to a certain advantage in their work.

### **C. Public speaking, non-verbal expression, gestures**

The importance of non-verbal communication has been acknowledged for some time, but it has only slowly made its way into linguistics. Compared to the number of studies done on written language, spoken discourse and non-verbal communication sometimes remains in the background. Pease (1981) was one of the first scholars to claim that the primary use of verbal channel is for conveying general information, whereas the non-verbal mode conveys attitudes, and might even be used instead of verbal clues. However, his ideas only came into the study of metaphor later: as Cienki (2008) puts it, metaphor and gesture studies began in late 1980s, but only became popular in 2000s with the study of “spontaneous gestures during language production, especially gestures of the hands and forearms, can also constitute metaphoric expressions” (2008: 5). The study of verbal and gestural metaphors in the discourse of legal language is even more scarce; there are practically no papers that would focus on the study of spoken legal language and how metaphors are used in this particular field.

Stickles (2016) speculated that gestures should correspond to verbal metaphors and her data proves the hypothesis as she concludes that “speakers’ mental representations are both imagistic and linguistic in nature” (2016: 27). This study is one of many that shows that speakers use gestures to support and strengthen the points that they make verbally. As lawyer Clark Richards (2015) explains, legal language brings a lot of frustration to peoples’ lives with its complexity. Unlike other fields, like quantum physics, sociology, etc., legal system directly impacts them, and they usually encounter legal language in times of trouble which adds an additional layer of frustration. That is exactly why the study of metaphor, gestures and non-verbal cues are important to the legal system. It serves as a tool that helps the readers or listeners

understand such complex notions as legal system, justice, judicial proceedings, etc. TED conference, which is chosen as the source of data for this study, in their advice for future conference speakers' state: "metaphors can play a crucial role in showing how the pieces fit together, because they reveal the desired shape of the pattern, based on an idea that the listener already understands" (Anderson 2016: 9). The organisers also give advice to public speakers to relax their bodies and use them as a medium to convey information. The conference in a sense requires to appeal to the listeners and make an impact, but they also acknowledge that with the use of metaphors, body language, gestures, the listeners are easier to reach. This idea has probably been noticed from practice of the TED talks but is encouraged by the organisers as it makes the subject matter more appealing and easier to grasp for people from different backgrounds.

While studying multimodal metaphors in verbal and gestural modes, it is important to have a clear methodological system. Cienki, who is one of the most influential scholars in the study of multimodal metaphor, follows the ideas of McNeill who defines the functions of different gestures, one of them being metaphoric representation. McNeill (1992) claims that the position of the hand, its orientation in space and movements indicate the speaker's ideas and hints at the way the speaker understands certain concepts. For example, when a speaker says, "you have to draw your line" and he gestures in the air a line with his index finger from his shoulders to the middle of the waist, we can see that he visualises two separate spaces in the left and right, one being the "right one", the other the "wrong one". It is important to understand that gestures come in strokes and to analyse a gesture means to analyse a sequence of strokes. In one case it might be a lifted index finger drawing a line indicating right and wrong, in another case it might be a palm facing upwards circling around the waist area to indicate togetherness. We can see from both examples that gestures add to the conceptualisation of abstract notions by taking some aspects from the physical, or more concrete domain, and adding them as an additional layer to what is being uttered by words, or in some cases, only gestures show something metaphorical, while spoken language is straightforward.

As it can be seen, research on verbo-gestural metaphor in legal discourse is scarce. Despite the fact that this is a narrow field, researching it would offer more insight into conceptualisation patterns and the way metaphors are rendered in different modes, in contrast to the traditional point of view and the beginning of cognitive linguistic research that was mainly carried out in written discourse. The study of multimodal metaphors evolves as does technology – researchers have developed software to study gestures, and it becomes more precise with time.



This study focuses on multimodal metaphor in public legal discourse. The main focus of this study is to examine how gestural and verbal modalities interact in terms of metaphoricity: what kind of patterns may be traced throughout the data collected and what kind of conclusions, based on methodological proposals, and insights of previous researchers, may be drawn. Researchers of conceptual metaphors have preferred written or spoken discourse from various fields (economics, business, science, psychology, education, etc.), however, spoken public legal discourse with video material has not yet been thoroughly studied making use of the Conceptual metaphor theory and the methodology used to study multimodal metaphors, so this research aims at filling the gap in scarce research of verbo-gestural studies of metaphor, particularly in the field of legal language.

## **VI. Data and Methods**

At first, the data was collected from the official TED conference webpage because it provides the transcripts of the speeches the speakers deliver during the event. The corpus was collected from “justice system” and “law” categories on TED website. The talks were chosen based on these requirements:

- (1) *The video has to show the speaker (as opposed to drawn and animated TED talks).*
- (2) *The video has to be related to legal issues.*
- (3) *The video has to have a transcript.*
- (4) *The speaker is a native English speaker.*

Following these criteria, 30 TED talks were collected. The corpus consists of 54, 342 words from transcripts and 6 hours 20 minutes 15 seconds of video material.

The analysis was carried out on two levels. First, the transcripts were analysed, according to Metaphor Identification Procedure (hereinafter MIP(VU)) (as described below). Later, the videos were examined in order to observe whether metaphorical language is accompanied with metaphorical gestures. MIP(VU) procedure was used to analyse linguistic metaphors on the basis of which conceptual metaphors were reconstructed. This procedure was carried out simultaneously with MIP-G procedure, described later on, to study not only metaphors in speech, but also in gestures. The procedure was done manually, only taking into consideration the parts of the text that were concerned with legal issues. Speakers’ insights and remarks on side subjects (such as their career, scientific background, personal stories, etc.) were disregarded as the analysis only aimed at seeing how speakers conceptualise law and legal issues.

MIP(VU) procedure was developed by a group of scientists, commonly referred to as Pragglejaz (2007). The detailed step-by-step protocol helps researchers analyse linguistic metaphors based on the comparison of the contextual and possibly more basic meaning of

words. The procedure is carried out by analysing word meanings by consulting reliable dictionaries of contemporary English. The procedural protocol is explicated below:

1. Read the entire text/discourse to establish a general understanding of the meaning.
2. Determine the lexical units in the text/discourse.

3. a) For each lexical unit in the text, establish its meaning in context, i.e., how it applies to an entity, relation or attribute in the situation evoked by the text (contextual meaning).

Take into account what comes before and after the lexical unit.

b) For each lexical unit, determine if it has a more basic contemporary meaning in other contexts than the one in the given context. For our purposes, basic meanings tend to be:

- more concrete; what they evoke is easier to imagine, see, hear, feel, smell, and taste.
- related to bodily action.
- more precise (as opposed to vague).
- historically older.

Basic meanings are not necessarily the most frequent meanings of the lexical unit.

c) If the lexical unit has a more basic current/contemporary meaning in other contexts than the given context, decide whether the contextual meaning contrasts with the basic meaning but can be understood in comparison with it.

4. If yes, mark the lexical unit as metaphorical.

(Pragglejaz 2007: 3)

As the developers of MIP(VU) suggest, the Macmillan Dictionary and the Longman Dictionary were used to check the basic meanings of the words in question.

As for the analysis of gestures, the theoretical framework developed by Cienki and Müller was followed, whereas gestural metaphors were identified based on the procedure of MIP-G developed Cienki (2017: 136-137) which considers a gesture to be metaphorical when the stroke phase of the gesture occurs with the speaker's simultaneous reference to an abstract referent whereby the form and movement of the hands or other body parts allows the examiner to construe the gesture as used in a way that it represents a mapping from one domain to another. The procedure is described as follows:

1. identify the gesture strokes;
2. describe the four form features of each stroke;
3. identify if the gesture serves any referential function. If so,
  1. identify the mode(s) of representation;
  2. identify the physical referent(s) in the gesture(s) (the potential source domain);
  3. identify the contextual topic being referenced (the potential target domain);

4. is the topic being identified via a resemblance in experience to the referent depicted via the gesture? If so, the gesture can be identified as metaphorically used via the mapping that the topic [This target domain] is being likened to the referent depicted [This source domain].

Each video in the corpus was studied for at least 3 times: the first time to familiarise with the speech and speaker's movements, the second time to study the gestures and the third time to ensure that no gestures were missed. The analysis of the gestures went as follows: the video recording was paused after gesturing to take a screenshot. Subsequently, the gesticulator's movement was analysed by resuming and rewatching the moment the gesture was made. Particular attention was paid to the speaker's upper body movements, such as the position of palms, fingers, arm, and hand movements. Rarely, the whole body was partaking in the gesture, but some cases of whole-body movements were recorded as well. The only problem that might have had an effect on the data was that some talks were filmed as performances and the camera sometimes shifted from the speaker to the audience and the slides, so there might be some moments that the speaker made a gesture, and it was not recorded and thus unavailable in the video material published on the TED Talks website. However, such moments were not ample in the video footage and for this reason it is deemed that only occasional cases of potentially metaphorical gestural elements might have been omitted due to this reason.

Previous scholars have classified gestures in many ways, according to the hand movement, pragmatic function, speed, relation to uttered words, etc., but this research will rely on the classification proposed by Müller (2008). They have classified metaphorical gestures in relation to speech into 5 types:

1. Metaphoric speech with metaphoric gestures (shared source and target).
2. Speech is metaphorical, so are gestures (different source, same target).
3. Metaphoric speech with non-metaphoric or low metaphoric gestures.
4. Metaphoric speech without gestures.
5. Non-metaphoric speech with metaphoric gestures.

(Müller 2008: 96)

In this study, metaphorical instance is defined as a unit where a metaphor occurs in one mode of expression (e.g., speech only or gestures only) or in both of the modes simultaneously. After the analysis, 832 metaphoric instances were identified and analysed. For the analysis, the transcripts of the speeches were copied to MS Word and the text was cleaned of unnecessary information, such as time-markers, remarks about the speakers' actions (e.g. [laughing]) and the audience (e.g. [applauding]). All of the linguistics metaphorical expressions and gestures were transferred and systematised in a MS Excel spreadsheet.

For the sake of clarity, each example is assigned a number and was colour coded – each transcript was assigned a colour, so that the information would be easier to analyse, sort and filter in MS Excel.

Raw data can be found in Appendices, where each speech is numbered, and the analysis of speeches is provided. There is a separate .xlsx file provided with the paper where all of the metaphorical instances are provided.

## VII. Results & Discussion

This section of the paper presents the data collected during the research as well as provides insights into the findings by analysing certain examples, general trends in the data as well as comparing findings with previous research in the field to make some general conclusions. This section is divided into 5 subsections to discuss the 5 different types of multimodal metaphors, set out by Cienki and Müller (2008).

### A. General findings

There was a total of 832 metaphors found, as seen in Figure 1, the most common type was 4, i.e., metaphoric speech without gestures and the least instances were found in type 5, i.e., non-metaphoric speech with metaphoric gestures.

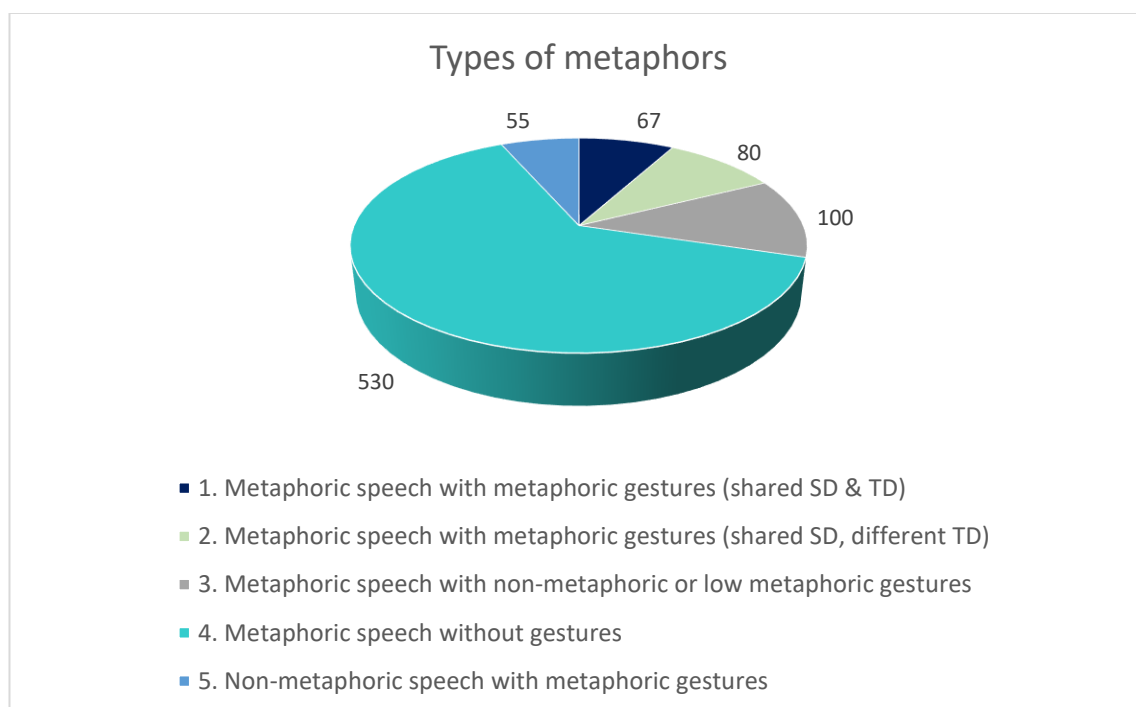


Figure 1. Types of metaphors

Generally, the most common TDs were justice system, law, and proceedings, and the most common SDs were object, person, and container. Further the discussion of categorised findings is provided.

## **B. Findings by categories**

In this section, findings, categorised according to Cienki and Müller's (2008) suggested categories are discussed. As stated by Cienki (2008), "the process [MIP-G] cannot be guided as easily by a clear, linear formulaic set of instructions. For example, the MIP procedure (Pragglejaz Group 2007) relies upon the ability to establish a word's conventional basic meaning. This is not possible for most gestures; they are not signs of a sign language." (Cienki 2008: 135). It is important to mention that even though such methodology is critiqued for its subjectivity, the guidelines were followed meticulously to study multimodal metaphors in legal discourse. This study follows a model, proposed by Cienki (2008) and the interpretation of data was done taking into consideration the ideas and points offered by Pragglejaz Group (2007) and Cienki (2008), however, as they themselves state, "it is important to bear in mind that this is an interpretive act on the part of the researcher" (Cienki 2008: 136) and that it is important to bring the attention to the fact that this data was studied from a perspective of "that of one viewing the video-recorded behaviour in a different place and at a later time than that in which it was produced (third-person role)" (Cienki 2008: 136) as opposed to the first-person role who is a part of the communicative exchange or second-person role, who supposedly was the receiver of such exchange.

### **1. Metaphoric speech with metaphoric gestures (shared source and target)**

There were 67 occurrences of metaphoric speech used with metaphoric gestures with the same source and target domain. In this category, most of the instances were that of conceptualising legal issues as objects having a physical form, weight, shape, etc. Out of 67 occurrences, almost half of it (30 instances) were cases of objectification, otherwise called reification in linguistic research (treating abstract notions as objects by assigning them some features from a physical domain, like shape, position in space, object-like movements, etc.). Other common source domains for conceptual metaphors used in speech and gestures were container (9 occurrences), machine (6 occurrences), building (5 occurrences) and person (5 occurrences).

Table 1. The most common CMs in the first category

Target domain	Source domain	Linguistic metaphors
Justice system, freedom, incarceration, sentence, criminal record, case, law, dignity, humanity	Object	(5) Congress <u>passed</u> legislation that made it so that; (Ho's speech, No. 12) (6) we need to <u>turn</u> law from; (Jordan's speech, No. 7) (7) she could <u>cut</u> that sentence in half; (Daniels' speech, No. 4) (8) it <u>bends</u> toward justice; (Stevenson's speech, No. 12) (9) a <u>broken</u> system that routinely vilifies. (Njoroge's speech, No. 14)
Justice system, probation, law, criminal law, prison system	Container	(10) involved <u>in</u> the criminal justice system; (Njoroge's speech, No. 27) (11) <u>In</u> criminal forfeiture, someone; (Carpenter's speech, No. 4) (12) processes that pull people back <u>in</u> . (Jacoby's speech, No. 14)
Conviction, proceedings, justice system, law	Machine	(13) the legal process to slowly <u>grind</u> forward; (Adam's speech, No. 19) (14) want the <u>wheels</u> of justice to; (Stevenson's speech, No. 9) (15) started turning the creaky <u>wheels</u> of enforcement. (Ho's speech, No. 6)
Immigration system, court system, justice system	Building	(16) every <u>level</u> of the US justice system; (Njoroge's speech, No. 10) (17) States <u>built</u> the largest immigration prison system; (Carpenter's speech, No. 21) (18) way for us to dissolve the <u>walls</u> of the court. (Ho's speech, No. 17)
Crime, law, prison system, conviction	Person	(19) The prison <u>refused</u> him psychiatric care; (Abrams' speech, No. 11) (20) opportunities that <u>pushes</u> these women to petty survival crimes; (Carpenter's speech, No. 30) (21) steel doors will <u>guide</u> us out of. (Hernandez's speech, No. 48)
Justice system	Nature	(22) saw runaway <u>growth</u> at every level of the US justice system; (Jacoby's speech, No. 9) (23) we've never let these projects <u>grow</u> . (Hernandez's speech, No. 56)
Judging	Movement	(24) Carter <u>turned</u> to detention; (Hernandez's speech, No. 27) (25) George H. W. Bush <u>turned</u> to the issue of imprisonment. (Stevenson's speech, No. 10)
Justice system	Art	(26) you a detailed <u>portrait</u> of the system as a whole. (Ho's speech, No. 5)
Legal career	Journey	(27) a judicial career <u>path</u> . (Kerr's speech, No. 12)
Incarceration	Material	(28) because <u>mass</u> incarceration throws. (Jordan's speech, No. 3)
Proceedings, justice system	War	(29) <u>fighting</u> to prove my innocence; (Patrick's speech, No. 13)

		(30) and both sides of the aisle have <u>fought</u> . (Jacoby's speech, No. 11)
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First, the two most common conceptual metaphors categorised as metaphoric speech with metaphoric gestures with shared SD and TD will be discussed. There were 8 instances of JUSTICE SYSTEM IS OBJECT and 6 instances of SENTENCE IS OBJECT. In Figure 2 the speaker talks about justice as an object that descends from above and uses his hands to indicate an object falling downwards, hitting a surface, and bouncing back up. This is a case where the abstract notion of justice is assigned some features of a physical object, namely, having a physical form, weight, and movement. This instance confirms the idea of cognitive scientists that people have a need to conceptualise abstract notions in terms of physical objects, because human cognitive systems are universally built and grounded by the environment that surrounds us – we see, touch, smell, weigh objects all around us and drawing parallels between abstract and concrete notions helps people make sense of the surrounding environment, including abstract notions, that do not have any physical form (Kövecses 2000: 393; Lakoff 1987: 267).



Figure 2. Sullivan's speech "How I help free innocent people from prison"

It is interesting to see that in most cases, reification in gestures was noticed more often to be mobile than static. As shown in Figures 3 and 4, the object is articulated gesturally conceptualised as having motion, probably because such metaphorisation is in synchrony with linguistic metaphorical expressions that also encode the metaphorical meaning of movement.



Figure 3. Patrick's speech "A different understanding of American patriotism"



Figure 4. Carpenter's speech "The injustice of "policing for profit" - and how to end it"

This could suggest that movement is a dominant feature which during mapping, the TD acquires from the SD. In this corpus, the mobility feature was visible in gestures all the time that it was a part of the metaphorization by reification in speech. Namely, if the linguistic expression in speech was linked with movement (*replace, bend, move, fall*, etc.), it was present in gestures of the speakers. If the linguistic metaphor did not presuppose any movement, the gestures were static (Figure 5):





Figure 5. Vivek's speech "How to put the power of law in people's hands"

In Figure 5, the speaker makes use of CM JUSTICE SYSTEM IS OBJECT in speech and in gestures. Linguistic expression *access to* presupposes that he is conceptualising justice system as something that is to be accessed, i.e., touched, or seen and with his upper body gestures he shows that he is holding an object in between his index finger and thumb. This time, the objectification in speech does not have any indication of movement, so the gesture that accompanies the metaphoric speech is static.

Another common CM was SENTENCE IS OBJECT with 6 occurrences. All of the occurrences show similar trends as in JUSTICE SYSTEM IS OBJECT. Almost all of the examples in this CM show movement, e.g., Figure 6:



Figure 6. Jacoby's speech "How bad data traps people in the US justice system"

By uttering *cut that sentence in half*, the speaker shows that the target domain of a sentence is objectified, and this pattern of conceptualisation is enforced by using a gesture

showing that an item is cut in half. There was only a few cases found where the objectification of the linguistic metaphor did not presuppose any movement, however the gesture was mobile (Figure 7). In this case, the gesture portrays movement since an action of cutting is being imitated by the gesture based on a metaphorical statement expressed verbally.



Figure 7. Kerr's speech "Who makes judges?"

In the fragment of a TED Talks exemplified above (Figure 7), the speaker discusses the importance of specific judges' decisions that determine the future of the persons whose cases they conclude the verdicts of. In her speech, the presenter metaphorically renders a sentence in terms of an object – something to be found, held in hands. In her gestures, the reification is realised by the position of her open palms, facing up, as if something is placed in her hands, but she swings her arms back and forth towards herself a couple of times while uttering *could find out future*.

Apart from JUSTICE SYSTEM IS OBJECT and SENTENCE IS OBJECT, there were some instances of justice, criminal law, or prison system being conceptualised as container, machine, building, or person. In the case of justice being conceptualised as container, linguistic metaphors were realised by prepositions mostly, as noticed before in other studies (Radden 1985: 184; Boers 1996: 26). For example, Figure 8 portrays a speaker conceptualising criminal justice as a container by saying *in the criminal justice system*. She also uses the same CM CRIMINAL JUSTICE SYSTEM IS CONTAINER in her gestures by moving her hands towards one another with rounded fingers indicating a closed space, a box.



Figure 8. Jordan's speech "4 steps to hiring fairly - and supporting criminal justice reform"

Although there are some scientists who see prepositions as being difficult to analyse in terms of metaphorization (see Nacey 2013; Deignan 2005), but according to MIP(VU) procedure, these instances may be regarded as metaphoric as their most physical sense is related with a surface or containment. There are also numerous scholars that classify prepositions as metaphorical instances without questioning its significance or difference from other word classes (Ureña 2010; Wood 2005; Stefanowitsch 2005). In this study, following the MIP(VU) procedure, prepositions were recognised as used metaphorically since they carry a meaning that is different from its core meaning – to denote direction, position in space, etc.

In the case of justice, law or judiciary being conceptualised as a machine, the examples were not significantly new as they all portray abstract notions as a machine in movement, as something being composed of several parts, moving, and carrying out tasks as a machine would. For example, some speakers (see Figure 9) relied on the external view of the machine, i.e., making use of the JUSTICE SYSTEM IS MACHINE CM by saying *the wheels of justice to properly turn* implying that justice system is a machine that has wheels, and using her hands as well to show turning motions, as the wheels of a machine turn repeatedly when it works.



Figure 9. Abrams' speech "The human stories behind mass incarceration"

There were also some cases that made use of the utilization feature of the machine by linking proceedings of the court to the way an industrial machine grinds while it is employed. Urbonaitė (2017 :161) notes that such aspects "tend to be the salient aspects that provide the conceptual structure to more abstract notions via metaphorical mappings." For example, Figure 10 shows a speaker uttering *the legal process to slowly grind forward* and making use of the PROCEEDINGS IS MACHINE CM. He also uses gestures to portray machine-like movements by rotating his arms repeatedly and moving them towards each other, reminiscent of gears or looms in industrial machinery. This type of linguistic metaphorization was also noticed by McCloskey (1998), Jumanca (2013) or Richard (2014).

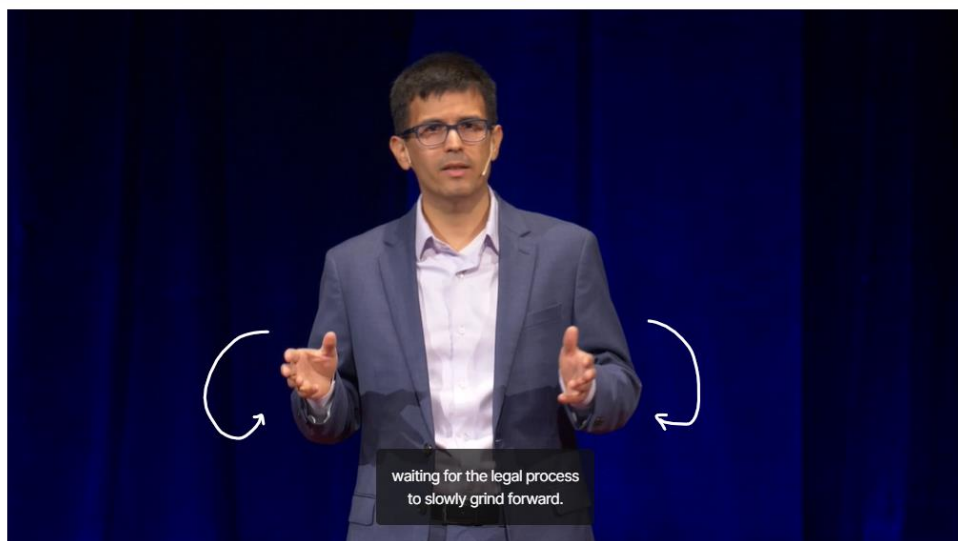


Figure 10. Hernández's speech "The US can move past immigration prisons - and towards justice"

There were also some cases of conceptualising justice system, immigration law and court system as a building. In most of the cases, they were realised by linguistic expression "level of"

or referring to the walls of law. This type of metaphorisation is quite common in legal discourse. A couple of researchers have also noticed that law, legal issues are being conceptualised as a construction, or a building. Morra (2010) writes that legal conceptualisation relies on contextual analysis and that the metaphors that are often met in legal discourse (objectification, using the body, machinery, nature, construction as common source domains) are reflective of the language we use in other contexts. Her research provides reasoning for the conceptualisation of legal issues and explains that interpreting legal context requires knowledge about other fields. She gives examples of metaphors in legal field that seem to follow similar mapping procedures in other fields, for example the linguistic expression *building a case* is similar in its conceptualisation pattern to *building an argument* in scientific research field. In this study, construction metaphor was realised by making use of such linguistic expressions and gestures (see Figures 11-13):

1. *IMMIGRATION SYSTEM IS BUILDING*
2. *COURT SYSTEM IS BUILDING*
3. *JUSTICE SYSTEM IS BUILDING*

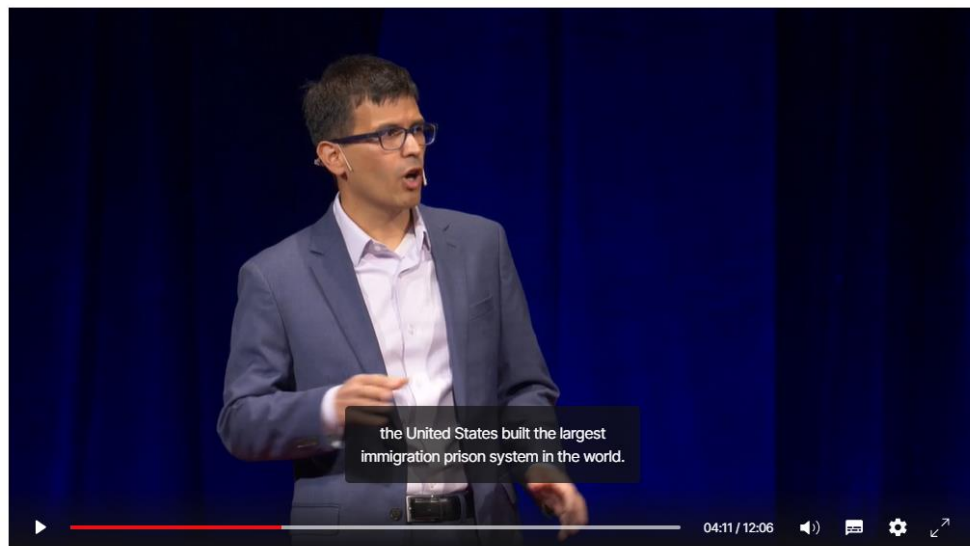


Figure 11. Hernández's speech "The US can move past immigration prisons - and towards justice"



*Figure 12. Jayadev's speech "Community-powered criminal justice reform"*



*Figure 13. Jacoby's speech "How bad data traps people in the US justice system"*

Interestingly, the number of instances where legal issues were personified (5 occurrences) by using metaphoric language with metaphoric gestures (with same target and source domains) was quite low. This finding contradicts with most of the research done in the field of legal discourse as other researchers reported substantially bigger number of cases of personification. This could be influenced by the public speaking discourse chosen as a source of data for this study. The examples of such cases include:



Figure 14. Njoroge’s speech “What I learned serving time for a crime I didn’t commit”

This speaker in Figure 14 is making use of CRIMINAL JUSTICE SYSTEM IS PERSON CM by saying that it can *push* women into crimes, as if a person does and enforcing this metaphorisation pattern by using gestures indicative of a person pushing something to another direction, away from herself.

To summarise, speakers were not likely to use metaphoric speech with metaphoric gestures with shared SD and TD, with only 67 occurrences in the corpus (compared to 735 instances of other types or verbo-gestural metaphors). In this category, many different source domains were found, e.g., object, which was the most common source domain found in this corpus, as well as container, machine, building, person and some others. Most of the findings are in consonance with previous research done in legal discourse on conceptual metaphors, some findings about gestural metaphors concur with research done on multimodal metaphors in other discourses (e.g., Casasanto 2008; Flusberg 2018; Forceville 2018, etc.).

## 2. Metaphoric speech with metaphoric gestures (shared target, different source)

In this corpus, there were 80 instances of metaphoric speech being used with metaphoric gestures, but unlike in the category discussed previously, the metaphors occurring in two modalities share the same target domain, but their source domain is different. Table 2 provides an overview of the conceptual metaphors that were found in this category.

Table 2. Conceptual metaphors found in the second category

Target domain	Source domain
Crime, court	Body of water
Law, justice system	Building

Incarceration	Death
Justice system, punishment	Action
Legal proceedings	Illness
Law, legal proceedings, justice system	Journey
Judicial system, law, conviction, court system, justice system	Machine
Incarceration, freedom, justice system, sentence	Material
Legal costs, justice system	Nature
Law, justice, case, proceedings, sentence, prison system, etc.	Object
Legal proceedings, law, case, crime, justice system, etc.	Person
Law	Play
Freedom	Commodity
Sentence	Service
Law	Tale
Justice system, proceedings	War
Crime, prison system, bail	Web
Sentence, proceedings	Words

Interestingly enough, in this category, there was only one instance of objectification in linguistic expression (LAW IS OBJECT), however, most of the gestures denote that speakers objectify most of the target domains, such as law, justice, case, proceedings, sentence, crime, prison system, freedom, etc.

Some noteworthy examples from this category are Figures 15 – 23. In most cases the SD in gestures change to an object, but in some cases the gestures showed signs of speakers conceptualising abstract notions as a machine, a person, or a container.

In Figure 15, the speaker makes use of CM PROCEEDINGS IS FIGHT by saying that *he won this case*, but in his gestures, the SD changes to an object that the speaker pushes or moves to another direction away from himself. Proceedings were not often objectified in this corpus (6 instances), so it is quite interesting to see that this pattern of conceptualisation appears in gestures. Previous scholars, studying legal language and metaphorisation patterns (Larsson and Stolpe 2022; Kappelhoff and Müller 2011; Müller et al. 2013) did not notice that proceedings would be conceptualised as object, so this is quite a unique occurrence in this context.





*Figure 15. Hernández’s speech “The US can move past immigration prisons - and towards justice”*

In Figure 17, the speaker conceptualises court proceedings as an argument, however a different pattern is noticed in her gestures. She objectified court proceedings by gesturing as if holding something with her fingers, so the verbal fragment in her speech CM cues the metaphor COURT PROCEEDINGS IS ARGUMENT whereas her gestures signal the metaphor COURT PROCEEDINGS IS OBJECT.



*Figure 16. Kerr’s speech “Who makes judges?”*

In Figure 17, the speaker conceptualises law as a person that sets frontiers, making use of CM LAW IS PERSON, however in his gestures the source domain is different. He opens his palm and gestures away from himself as if putting an object on his palm on display, making use of LAW IS OBJECT CM. Also, scholars notice that opening a palm and gesturing it towards the audience is a common gesturing pattern while opening a new topic (Larsson and Stolpe 2022; Lagrange-Lanaspre 2017).



Figure 17. Howard's speech "Four ways to fix a broken legal system"

Figure 18 shows a speaker that uses JUSTICE SYSTEM IS PERSON (*retreat from these processes*) CM but changes the source domain in the gestural modality to object by showing movement and changing the domain to moving object.



Figure 18. Patrick's speech "A different understanding of American patriotism"

The speaker in Figure 19 is using CM JUSTICE SYSTEM IS NATURE by uttering *the roots run deep*. The gestures, however, show that he is making use of JUSTICE SYSTEM IS OBJECT CM as he grasps his hand together in the air and moves them in circular motion away from himself indicating with his index finger and thumb as if holding an object (Figure 19).



Figure 19. Miller's speech "How radical hospitality can change the lives of the formerly incarcerated"

In Figure 20, the speaker uses a rare CM in this study with only 1 occurrence in total – LAW IS SUBJECT. The source domain in gestures, as in absolute majority of the cases in this category changes to an object. He looks like he is holding a round object in his hands, while uttering *demystify law*.



Figure 20. Vivek's speech "How to put the power of law in people's hands"

The case of JUSTICE IS EVENT CM being used in speech is portrayed in Figure 21. The speaker uses a different source domain in his gestures as he is clenching his fist and moving it downwards as if holding a round long object and making use of the CM JUSTICE IS MOVING OBJECT in the gestural mode.



Figure 21. Sullivan's speech "How I help free innocent people from prison"

And lastly, in Figure 22, the speaker says *our laws should move away from the idea* and conceptualises law as a person, capable of changing its location. However, in gestural modality the source domain shifts to an object that she is holding in her palms and moves them downwards.



Figure 22. Adam's speech "Why US laws must expand beyond the nuclear family"

In conclusion, the most prevalent pattern in this category was that in most of the cases the source domain in gestures changed to an object, whereas the verbal modality signalled a different source domain for the same target domain. The reason for such established pattern is that objects are the most common source domain in gestural modality overall in other contexts as well (Lagrange-Lanaspre et al. 2017). In the study done by Lagrange-Lanaspre et al. (2017) the speakers were prone to objectification in their gestures especially for educatory purposes. After they carried out the research, they interviewed their subjects, and they revealed that by

using gestures in teaching contexts they help students understand new concepts. It helps educators to show links, relations between concepts, explain the content of the concept better. Since this research relied on public speaking discourse, the core purpose of these conference talks is also to educate, to promote certain issues, so it is natural that the speakers objectify abstract notions – it helps them explain legal issues, their vastness, the links between the problem itself and the solution to it, that the speakers are in most cases trying to promote.

### **3. Metaphoric speech with non-metaphoric or low metaphoric gestures**

During the investigation, 100 instances of metaphoric speech being used with non-metaphoric or low metaphoric gestures were found. In this part of the analysis, most of the gestures were *deictic*, *iconic* or *emblems*, as described by Efron (1972). This part of the analysis is heavily reliant on the idea that “gesture is a semiotic system that is normally more dependent on speech than speech is on gesture; speech generally provides more information than gesture” (Kibrik 2010; Kibrik and Èl’bert 2008 in Cienki 2017: 134). This means that the main channel of communication is proven to be words (or speech), however, gestures do play a significant role in the shaping of the message a speaker is trying to convey. This was proven by Kibrik (2010) in his study where he gave subjects a video of a speaker without sound and asked them to describe the content of the talk. The subjects were not able to do so based on the gestures, however, when they were given only the audio of the video, they were able to relate it to the gestures they saw before and describe the content accurately. The subjects could only recognise emblem gestures (as defined by Müller et al (2013) they are conventional bodily gestures that hold a specific significance, easily comprehensible without the use of speech by a particular cultural or social community), for example a palm squeezed together to indicate strength, harshness of the subject matter being discussed, or a thumbs up indicating a positive topic. There are plenty more emblem gestures, that can otherwise be understood as conventional gestures most of the speakers of different backgrounds and cultures are familiar with. Of course, it is important to keep in mind that such gestures are culture-based and in some cultures such conventional signs may be offensive rather than having neutral connotations in the rest of the world or have a completely different contextual meaning. Kendon (2004) and McNeill (1992) in their studies talked about a handful of gestures that may clearly be categorised as emblem gestures; however, we should think about such gestures in terms of a continuum and that gestures range in degree of conventionality.

There were numerous cases of such emblem gestures in this study. Figures 23 - 24 portrays a speaker gesturing with her fists indicating a concrete, harsh topic of the utterance

while reflecting the conceptualisation of drugs as a material in her speech in Figure 23 and making use of the CM JUSTICE SYSTEM IS MACHINE in Figure 24.



Figure 23. Tribble's speech "How marijuana reform could repair, reclaim and restore communities"



Figure 24. Carpenter's speech "The injustice of "policing for profit" - and how to end it"

As mentioned before, deictic gestures were also often found in this corpus. Figures 25-27 show speakers using the deictic type of gesture to point, name or count ideas. Previous scholars note that "gestures are inherently multifunctional" (Kok et al. 2016) and might have several functions. In the case of Figure 25, the speaker is making use of the CM JUSTICE IS WORDS, however uses non-metaphorical gestures by narrowing his palms together and moving them forward as if pointing at the audience. Also, it serves as a discourse organising tool as once he carries out such gesture, he closes the topic of his speech, the gesture works as a way to illustrate for the audience, the end of the talk. In the remaining time, he opens his palms and offers some

advice for the audience on justice execution, which proves that the gesture functions as a discourse organising measure.



Figure 25. Patrick's speech "A different understanding of American patriotism"

In Figure 26, the speaker portrayed a classic case of deictic gesture, where palms were used to point and count concepts, by using non-metaphorical gestures:



Figure 26. Vivek's speech "How to put the power of law in people's hands"

In Figure 27, the speaker refers to the judicial system in terms of a power and uses deictic gesture to indicate that a major idea is being presented. Once he utters *all the power*, he opens up his palm towards the audience and moves it in a sharp short motion as if pointing at the audience to gather their attention to the point he is making.



Figure 27. Ho's speech "How to participate in your own legal defense"

Another significant group of non-metaphorical gestures, noticed in this corpus being used with metaphorical speech was *beat* gestures. As explained by Cienki (2017: 140) they are defined as "usually involving a small rhythmic movement back and forth". They are often used to structure the discourse of the speech. Casasanto (2008) observed that when discussing topics such as rising temperatures, speakers exhibited a greater occurrence of beats compared to when talking about purchasing a cheaper car. Notably, these differences were observed even when speakers did not use related verbal metaphors (such as "higher temperatures" or "lower price"). As a result, such beats may be interpreted as involving implicit metaphoric references to hotter temperatures as being 'higher' and cheaper prices as being 'lower'.

For example, Figure 28 portrays a speaker using beat gestures to organise her speech and put emphasis on important ideas. She makes use of the JUSTICE SYSTEM IS MACHINE CM and synchronically uses beat gestures to capture the attention of the listeners and show the importance of her message.



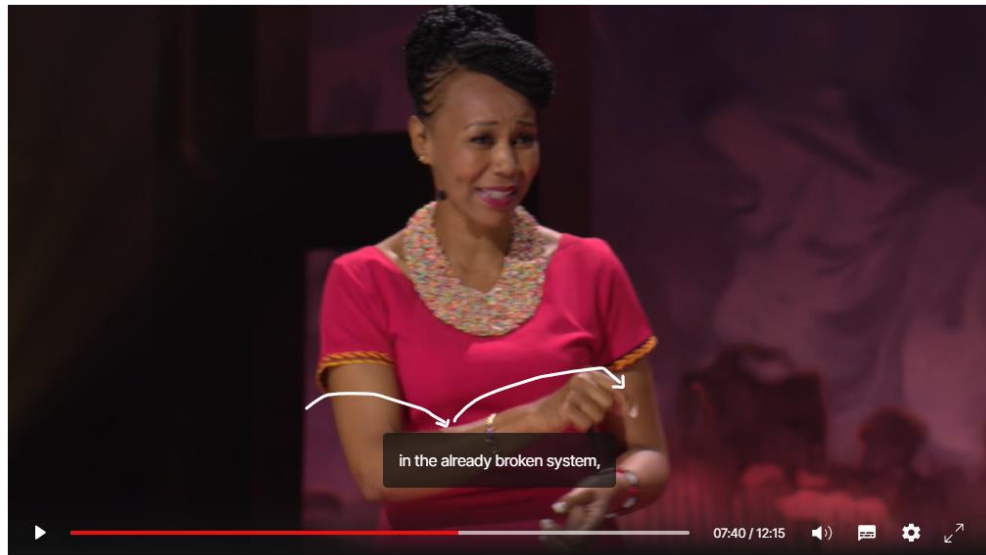


Figure 28. Njoroge's speech "What I learned serving time for a crime I didn't commit"

Figure 24 is also an example of a beat gesture. The speaker makes use of the CM INCARCERATION IS ILLNESS by saying that incarceration is a *blight* in the U.S. Macmillan dictionary defines blight as a serious disease or something that spoils or damages something else. However, in the gestural modality, the speaker moves his right arm up and down when stressing *blight* and *reputation*.



Figure 29. Patrick's speech "A different understanding of American patriotism"

To conclude, verbal metaphors being used with non-metaphorical gestures were one of the most common to occur in this study with 100 instances in total. The most common gestures were *deictic* and *emblem (iconic)* gestures, however there were some noteworthy examples of *beat* gestures as well. In most of the cases, such gestures were used to organise the discourse or attract the attention of the audience to a certain idea. The majority of the findings show identical

trends to previous scholars' research done on other discourses. This corpus showed similar trends in metaphorisation patterns and no deviations from them were noticed.

#### 4. Metaphoric speech without gestures

Metaphoric speech without gestures is by far the largest category in this corpus with 530 instances. Table 3 below lists 10 most common CMs in this. There are also some examples of linguistic metaphorical expressions provided to exemplify each of the most frequently occurring CMs.

Table 3. The most common CMs in the fourth category

	Conceptual metaphor	Tokens	Linguistic metaphorical expression
1.	LAW IS PERSON	40	(31) law <u>leans</u> so severely towards; (Minow's speech, No. 2) (32) which laws are <u>holding</u> people back; (Jacoby's speech, No. 18) (33) it <u>drives</u> us to the thin veneer of conscious logic; (Howard's speech, No 36) (34) Law <u>sets</u> boundaries. (Howard's speech, No 38)
2.	JUSTICE SYSTEM IS PERSON	36	(35) justice system has <u>convinced</u> us that; (Daniel's speech, No. 20) (36) the rules and systems <u>work</u> ; (Russell's speech, No. 39) (37) it <u>distracts</u> us from the moneymaking. (Abrams speech, No. 31)
3.	JUSTICE SYSTEM IS OBJECT	27	(38) that we <u>separate</u> out some of the legal; (Njoroge's speech, No. 15) (39) that <u>scale</u> is tipped; (Howard's speech, No 26) (40) Our system isn't just being <u>shaped</u> in these ways. (Minow's speech, No. 12)
4.	JUSTICE SYSTEM IS CONTAINER	22	(41) <u>in</u> the justice system with a simple idea; (Ho's speech, No. 11) (42) Individuals involved <u>in</u> the criminal justice system. (Njoroge's speech, No. 27)
5.	GOVERNMENT IS PERSON	17	(43) the government often couldn't <u>catch</u> the; (Jacoby's speech, No. 19) (44) Government has <u>taken no responsibility</u> ; (Tribble's speech, No. 7) (45) tantamount to <u>waging</u> a war on Black. (Jacoby's speech, No. 11)
6.	JUSTICE SYSTEM IS MACHINE	16	(46) legal system <u>operates</u> for we the; (Russell's speech, No. 30) (47) the system is <u>designed</u> to give your; (Patrick's speech, No. 8) (48) due to a <u>broken-down</u> judicial system. (Daniel's speech, No. 6)
7.	LAW IS OBJECT	11	(49) there's so <u>much</u> law; (Njoroge's speech, No. 6) (50) <u>using</u> law gave Ravi hope; (Kerr's speech, No. 10)

			(51) can understand, <u>use</u> and <u>shape</u> law. (Hernandez's speech, No. 33)
8.	INCARCERATION IS MATERIAL	9	(52) increase in <u>mass</u> incarceration; (Carpenter's speech, No. 24) (53) story of <u>mass</u> incarceration in. (Stevenson's speech, No. 9)
	JUSTICE SYSTEM IS BUILDING		(54) people enter our <u>halls</u> of justice and believe; (Daniel's speech, No. 29) (55) This allows us to create a <u>bridge</u> between those people; (Tribble's speech, No. 17) (56) Non-profit prison <u>abolition</u> organization dedicated. (Howard's speech, No 20)
9.	CASE IS PERSON	8	(57) that lawsuits are out of <u>control</u> ; (Patrick's speech, No. 5) (58) reality is, these <u>crazy</u> cases are; (Miller's speech, No. 17) (59) tactfully <u>impact</u> the outcome of that case. (Maru's speech, No. 9)
	LAW IS BUILDING		(60) is to <u>rebuild</u> these boundaries; (Russell's speech, No. 27) (61) they're <u>building</u> a new law; (Minow's speech, No. 6) (62) It's not the <u>basis</u> of the rule of law. (Patrick's speech, No. 22)
10.	CASE IS CONTAINER	7	(63) <u>in</u> our cases right now; (Njoroge's speech, No. 10) (64) what happens <u>in</u> the lawsuit. (Daniel's speech, No. 12)
	PROCEEDINGS IS FIGHT		(65) or we <u>win</u> an acquittal; (Maru's speech, No. 12) (66) wage your final <u>fight</u> to stay in this; (Ho's speech, No. 6) (67) years I spent <u>fighting</u> to free people. (Miller's speech, No. 2)

Figure 30 portrays what was the prevalence of most common target domains. Many of them (119 instances) had as few as 1-2 linguistic expressions, so they fall under the category of 'other' The numbers in the figure represent how many linguistic expressions with metaphors were found.

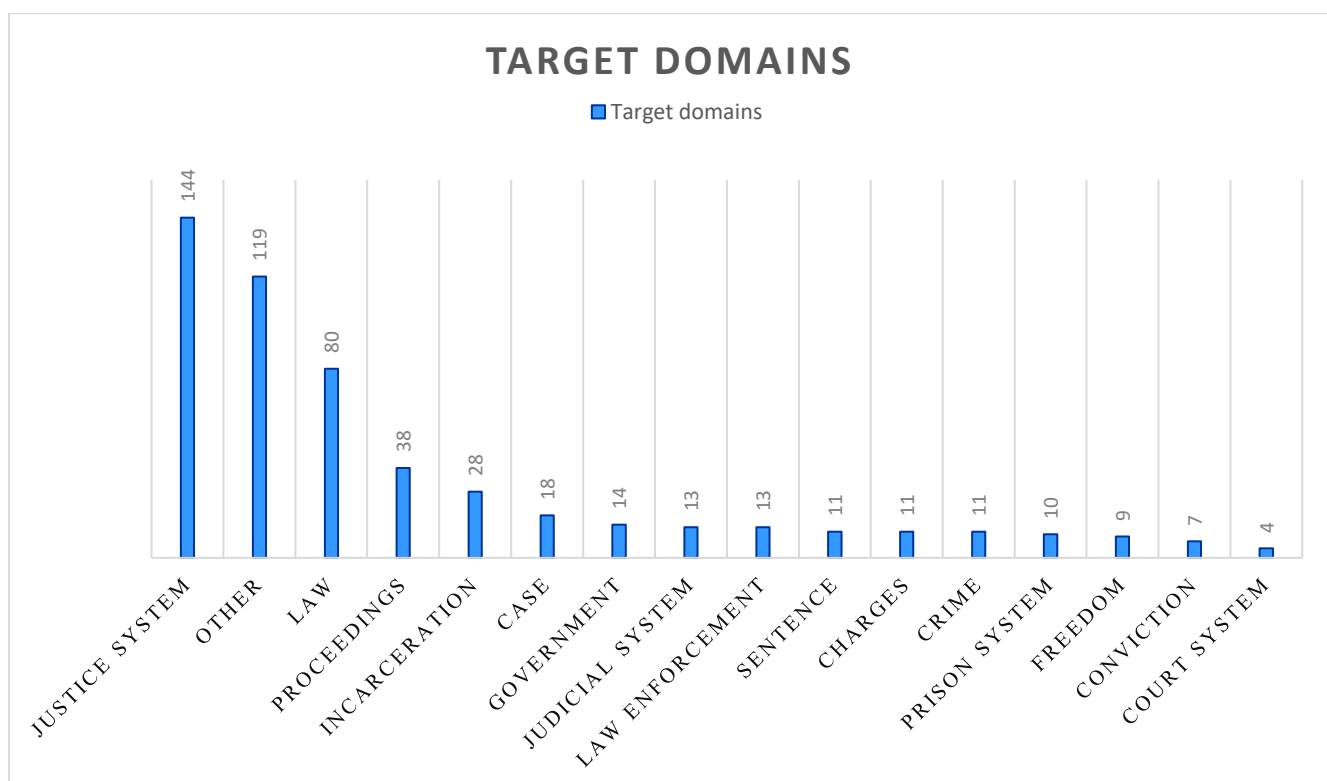


Figure 30. The spread of target domains in type 4 of verbo-gestural metaphors

As noticed by previous scholars (Nacey 2013; Cassanto 2008; Deignan 2005), personifying metaphors are very common in many discourses. Many of them reason for such phenomena in terms of body metaphors helping illustrate the body-mind connection and are often used to represent a collective human experience (Jumanca 2013: 369). In this corpus, three out of five most common CMs used without gestures, as seen in Table 3, were also cases of personification. There were 136 linguistic expressions in total in this category expressing inanimate objects having human features. Jumanca (2013) in her research found that law, legal entities, and legal documents are often portrayed as “possessing parts similar to those of the human body, its corresponding vital functions, or experiencing human feelings and having human attitudes” (Jumanca 2013: 369). In this research it was noticed that most of the person metaphors are typically realised by assigning human characteristics to abstract notions or describing them as capable of carrying out humanly actions or having mental states. For example:

- (68) *incarceration throws so many lives into chaos; (Abram’s speech, No. 15)*
- (69) *laws we fight for are actually helping the people; (Jacoby’s speech, No. 26)*
- (70) *it carries with it the power of state; (Howard’s speech, No. 33)*
- (71) *law leans so severely towards; (Minow’s speech, No. 2)*
- (72) *how law may forgive. (Minow’s speech, No. 54)*

The results of this research are in line with the previous scholars’ findings. Most of the prior research reports that personification metaphors are among the most common metaphorisation patterns, as in this study. However, there were very few cases of legal issues

being conceptualised as a body or having human features found (e.g. to *face the justice*, *the legislative body*, *the system is immune*, *fresh breath in the judiciary*, etc.) as reported by Philip (2017) or McCloskey (1998). In this regard, this study shows some differences of metaphorisation patterns in public legal discourse. The most logical explanation for the deviation from the general trends in the field could be explained by the choice of data source and the discourse of public speeches and the fact that most of the data collected focuses on justice, incarceration, so is narrower in content than scholars' chosen material: previous research mostly focused on written legalese, mostly laws, court documents, etc.

Philip (2017) noticed that legal discourse is likely to be oriented to visuality and visual language, since humans have a preference in cognitive processes towards visible objects or ideas that can be visualised. Visual (Jumanca (2013) uses such term for objectifying metaphors) metaphors often occur in legal discourse (Jumanca 2013; Hibbits 1994; Urbonaitė 2017). This way of conceptualising abstract notions is common in other discourses as well, e.g., business, economics, science, psychology, etc. This study has also found numerous cases of objectification of legal issues, e.g.:

- (73) *don't want to take legal responsibility; (Howard's speech, No. 20)*
- (74) *loved one just got sent to prison; (Adam's speech, No. 15)*
- (75) *can win if we use the law; (Russell's speech, No. 21)*
- (76) *get there unless we take justice; (Russell's speech, No. 52)*
- (77) *our systems stay rigged. (Carpenter's speech, No.2)*

Another group of conceptual metaphors, closely related to object metaphors, is containment metaphors. Initial scholars in the field of metaphor study state that “we are physical beings, bounded and set off from the rest of the world by the surface of our skins, and we experience the rest of the world as outside us. Each of us is a container, with a bounding surface and an in-out orientation” (Lakoff and Johnson 1980: 29). This is not the only understanding of containment. We also experience it when being in closed spaces, like buildings, vehicles, etc. The metaphorisation pattern of containment is usually manifested in such imagery where an abstract notion is being held somewhere, is put somewhere, moved to a closed space, etc. In this study there were some examples of legal issues being contained as well and as noticed by preceding research this pattern is often found in linguistic expressions with prepositions (Kremmayr 2017):

- (78) *may be the same in law as in; (Kerr's speech, No. 12)*
- (79) *a job interview through the court program; (Adams' speech, No. 16)*
- (80) *discrimination in the administration of criminal justice; (Steinberg's speech, No. 12)*
- (81) *fact that people are stuck in the system because; (Jacoby's speech, No.6)*
- (82) *heart back into the system. (Carpenter's speech, No. 5)*

Material (or otherwise called (chemical) substance in various scientific sources) metaphors are also tightly linked with the reification of abstract ideas. Such pattern of metaphorisation is often related with concepts being seen as liquids, solid materials, or various

other substances, and as ingredients. In this study, this pattern was not very common, however, there were some cases of legal issues being conceptualised as a material. An interesting finding, that was not reported in previous research is that X IS MATERIAL (X being any legal issue) often manifested with the linguistic expressions with the word *mass*. This is an interesting finding since it was noticed in multiple speakers' data, so it is a universal expression:

- (83) *ending the mass incarceration; (Tribble's speech, No. 11)*
- (84) *taken on learning about mass incarceration; (Adam's speech, No. 13)*
- (85) *story of mass incarceration. (Abrams' speech, No. 11)*

There were also some other expressions of X IS A MATERIAL CM:

- (86) *to squeeze justice out of broken; (Russel's speech, No. 34)*
- (87) *We expanded civil forfeiture law; (Roman's speech, No. 2)*
- (88) *way for us to dissolve the walls of the court; (Dunn's speech, No. 12)*
- (89) *receives a lesser sentence. (Daniels' speech, No. 14)*

Conceptualising abstract notions as buildings was also noticed in this data. Even though such metaphorisation pattern is more common in pedagogy, politics and economy (Ahrens 2010), such cases were also noticed in the public speeches discourse on legal issues. Justice system and law were two most common TDs in building metaphors:

- (90) *is to rebuild these boundaries of law; (Russel's speech, No. 27)*
- (91) *It's not the basis of the rule of law; (Patrick's speech, No. 22)*
- (92) *use restorative justice methods to resolve conflicts; (Steinberg's speech, No. 11)*
- (93) *This allows us to create a bridge between those people. (Tribble's speech, No. 17)*

Another CM that should be taken into account is machinery-related metaphors. According to earlier studies (Lakoff & Johnson 1980: 27; Boyd 1993: 486), the mind is frequently conceptualized as a device that functions similarly to a mechanism, with the possibility of having flawed components or requiring repair. This pattern of conceptualisation was also noticed in this research:

- (94) *criminal legal system is working; (Jordan's speech, No. 4)*
- (95) *to overhaul and simplify the law to release; (Minow's speech, No. 14)*
- (96) *information to demand improvements to laws; (Maru's speech, No. 13)*
- (97) *we developed tools and vehicles for laws. (Steinberg's speech, No. 16)*

Since CMT is concerned with examining how people conceptualise abstract notions and what effect it has on language itself and its speakers, immense attention is paid to the study of such negative source domains as *war* or *fight* in order to see whether it effects the attitudes of speakers that unconsciously use *fight* or *war* metaphors in their language (Chiu and Chiang 2011; Flusberg 2018). It was noticed that *fight*, *war*, *argument* metaphorisation patterns are quite common in many languages and is spread to different discourses as well, like research, economy, politics, economy, etc. In this study, fight metaphors usually occurred in the context of court proceedings, victims building cases to get justice, pre-trial actions, etc.:

- (98) *years I spent fighting to free people; (Miller's speech, No. 2)*
- (99) *or we win an acquittal; (Maru's speech, No. 12)*
- (100) *we won a reduction of Chris's life sentence; (Russell's speech, No. 16)*
- (101) *tantamount to waging a war on Black. (Jacoby's speech, No. 11)*

In previous research, scholars reported that legal issues are sometimes conceptualised as a force (or otherwise called power). There were 18 cases found of such pattern in this study as well. Justice system and incarceration were conceptualised as a force by a number of speakers:

*(102) without you ever being charged; (Carpenter's speech, No. 7)*

*(103) initiatives of people, impacted by justice; (Abram's speech, No. 22)*

*(104) and transform the landscape of power in the courts. (Tribble's speech, No. 5)*

This study also showed a common pattern of metaphorisation by making use of the JUSTICE IS ACTION, INCARCERATION IS EVENT or similar CMs denoting activities:

*(105) that punishment doesn't end; (Tribble's speech, No. 16)*

*(106) We make justice happen; (Minow's speech, No. 14)*

*(107) refused to play the role of the victim. (Manu's speech, No. 11)*

There were some odd cases of legal issues being conceptualised as art, language, sports, illness, etc. Even though such cases had as few as 1-2 linguistic expressions it is still interesting to study what kind of source domains are linked with legal issues as some of them occurred in several speakers' presentations, which denotes that they are not single cases, characteristic to an individual speaker, but are used by speakers in general, just less often than the most common patterns of personification, objectification, etc.:

*(108) necessary to create lasting, legal change; (Kerr's speech, No. 9)*

*(109) So how do we cure this disease; (Steinberg's speech, No. 18)*

*(110) in the pursuit of justice; (Russell's speech, No. 24)*

*(111) in the forfeiture web, people like; (Adams' speech, No. 11)*

*(112) to translate our dreams about justice; (Hernandez's speech, No. 28)*

*(113) predatory hands of prison profiteers. (Steinberg's speech, No. 20)*

To summarise, the category of metaphoric speech being used without gestures is the broadest one in this corpus with 530 instances. The most common pattern of metaphorisation in this category was personification of legal issues. This finding is in line with previous studies done in the field of legal language and CMT. There were also a significant number of cases where law, justice system, court proceedings and other concepts, related to law were conceptualised as an object, container, machinery, material, or fight. These patterns of metaphorisation are common not only in legal discourse, but also in other fields, as noticed by metaphor researchers, e.g., economics, business, psychology, research, etc. This research also showed similar findings in comparison to earlier studies as there were cases where legal issues were conceptualised as a force, event or action. There were some rare cases that were found using innovative CMs, e.g. INCARCERATION IS ILLNESS, JUSTICE SYSTEM IS ART, JUSTICE SYSTEM IS NATURE or LAW IS LANGUAGE.

## **5. Non-metaphoric speech with metaphoric gestures**

The case of non-metaphoric speech used with metaphorical gestures was the least common to occur in this study. There were only 55 instances in total. It makes up ~6.5% of the corpus, as seen in Figure 1. Out of 55 cases, more than a half (i.e., 37) were cases of

objectification, portraying certain things and concepts as existing in space, having a physical form which is visibly lifted, moved, rotated, etc. The rest of the cases were instances where a speaker shows signs of conceptualising a certain concept as existing internally in the body, as a machine or as an action that is carried out by the speaker.

Cienki and Muller (2008: 492) state that metaphors existing in gestural mode show that people are prone to visual thinking. Verbal metaphors portray and extend the patterns of visualisation that are internal and exist in the consciousness of the speaker. This is particularly clear when studying some examples of the data in this study. For example, the conventionally known CM IDEA IS OBJECT is seen in Figure 31:



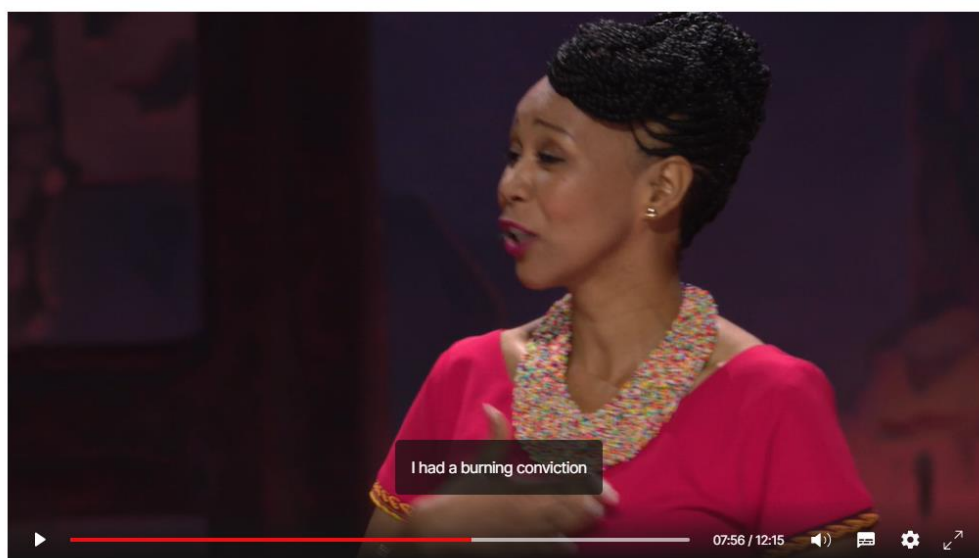
*Figure 31. Steinberg's speech "What if we ended the injustice of bail?"*

In this case, the speaker is talking about incarceration and freedom. She develops the idea throughout her speech that freedom is now bought in the U.S. justice system and argues that it should be free, however in this case she is not using metaphorical language. Instead, she uses a metaphorical gesture to illustrate the idea that freedom is an object that can be held between one's fingers. From the way that she speaks about incarceration and freedom as well as from the gestures that she uses, it is clear that she conceptualises freedom and incarceration as an object having monetary value. The speaker does not use any verbal cues proposing the CM FREEDOM IS OBJECT or INCARCERATION IS OBJECT, but in her speech, her gestures show that she sees incarceration and freedom as objects as she grabs and clenches her palm when speaking about these concepts, as if she is holding them as objects that have a physical form.

It is quite interesting to see how speakers also use hand gestures to add additional layers of meaning to their speeches, e.g., by showing the size of the issue they are talking about. This is done by using gestures to show that some abstract notions have a physical form and then by showing the vastness of the problem related to concept in question. The best way to explain this



is by discussing highly contrasting examples. As seen in Figure 32, the speaker only uses her index finger to indicate a crime. And later during her speech (Figure 34) she uses her palm in a circular motion on her chest to show the listeners that the conviction exists in her whole chest area. Of course, it is worth mentioning that these types of occurrences are speaker-dependant or situation-dependant, but some general trends were noticed in this corpus that allows to make presumptions that speakers in fact use gestures to create additional layers of meaning, not only direct meaning, conveyed by words.



*Figure 32. Njoroge's speech "What I learned serving time for a crime I didn't commit"*

According to Cienki (2000), the existence of gestural metaphors without metaphoric utterances could mean that speakers (of various cultures) possess more imagistic cognitive systems than it was believed before and that the nature of conceptualisation of abstract notions is way deeper than linguistic expressions we use to speak about them. It seems that metaphors are multimodal in nature and that they exist in several modes at once: sometimes the initial expression of a metaphor being not speech, but other modes, like gestures, as found in this study. For example, Figure 33 where the speaker uses gestures to express metaphors when introducing new ideas to the listeners, rather than using verbal expressions metaphorically.



Figure 33. Vivek's speech "How to put the power of law in people's hands"

In these examples, the speaker was more prone to gesture and portray such concepts as law, environmental laws, justice system as objects without using metaphoric language (nine utterances) compared to three utterances of metaphoric speech with metaphoric gestures in the same speech. The speaker showed signs of objectification of abstract notions: when speaking about environmental laws, he held up his hand bent, and his palm was in the position of holding an object – in most cases he squeezed his thumb and index finger to indicate the possession of a small item that the audience should pay attention to. It was noticed during the investigation that the speaker preferred to use such gesture upon first mentions of *law*, *environmental law*, *justice*, *justice system*. During later mentions, he used more open gestures indicative of not holding the object, but as if it was placed on his palm or laid there. This case contradicts with what was found by Cienki and Muller (2008): speakers use open palm gestures to introduce new ideas to the audience, to present ideas as if the object is “available for joint inspection” (2008: 490).

Another significant finding in this category is speakers conceptualising legal issues or concepts as something that exists internally in themselves or generally in human beings. For example, Figure 34 portrays a speaker that says, *for a crime that I hadn't committed* and places her index finger on her chest with an open palm. She does not use any metaphors in her speech, but by pointing her finger towards her chest while uttering *a crime*, she portrays an example of a metaphor only seen in gestures. The conceptual metaphor CRIME IS INTERNAL is common in this type of metaphors, found in this corpus, with 7 more instances (8 in total) of speakers talking about crime or criminal record without using metaphors and gesturing towards their bodies, touching, or pointing at their chest to indicate that that these legal issues sometimes are seen as existing internally.

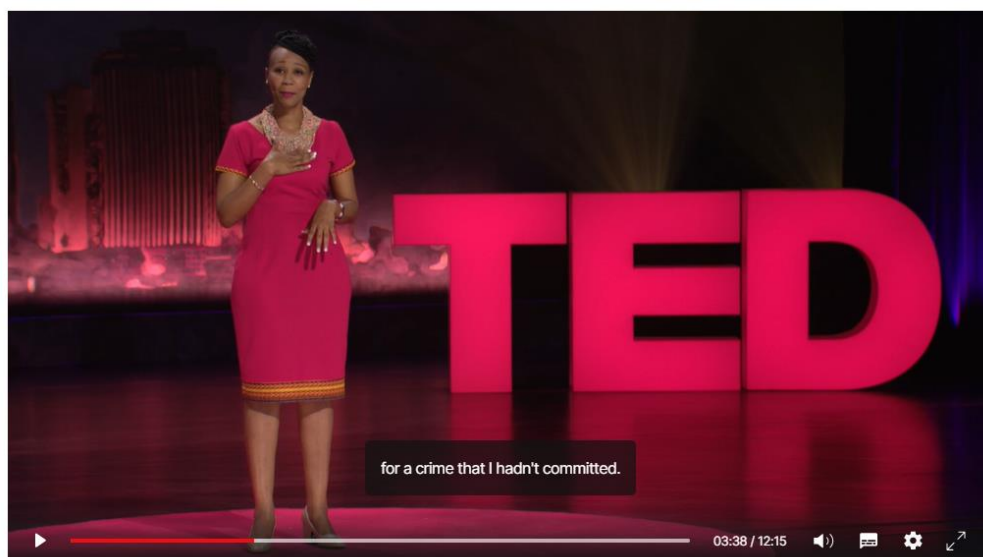


Figure 34. Njoroge's speech "What I learned serving time for a crime I didn't commit"

It is worth mentioning that this type of metaphoric expression was found in 21 speeches (out of 30 collected in the corpus). Even though, the number of instances is quite low, this indicates that quite a lot of speakers in general use this type of metaphORIZATION. This is quite common in public speaking as speakers tend to emphasize their ideas or express additional messages by using gestures (Hongyu, 2006). In this study, it was found that speakers usually use gestures with non-metaphoric speech to add additional messages to the ideas that they are trying to portray with words, e.g., to show that criminal record exists within the human body, that some ideas are objectified by using hand gestures to show the immensity of the issue.

### VIII. Conclusions

This thesis aimed at examining the most prevalent metaphorical patterns of conceptualising legal issues observed in the verbal and gestural modes of expression that were detected in a corpus of TED Talks on legal issues. The results of the research reveal that TED speakers are prone to metaphoric speech without gestures when talking about legal issues. The second most prevalent type of multimodal metaphor in this corpus was metaphoric speech non-metaphoric or low-metaphoric gestures. Then followed metaphoric speech with metaphoric gestures where the target domains in speech and gestures were different, and metaphoric speech with metaphoric gestures where the TD was the same in both modes of expression. The least common type to occur in this corpus was non-metaphoric speech with metaphoric gestures.

Taking into account the research questions for this study, the findings were as follows: the most common target domains in the corpus were justice system, law, and proceedings, and the most common source domains were person, object, and container. However,

metaphorisation patterns distributed unevenly across the five above-mentioned categories. In the first category (metaphoric speech with metaphoric gestures, shared TD), the most common pattern was reification, or objectification, where legal concepts were portrayed as having physical form, weight, shape, being mobile or stable or portraying other object-like features. In the second category (metaphoric speech with metaphoric gestures, TD id different), the target domain that was most common in speech was person, however it changed to an object, machine, or a container in the gestural modality. The category of metaphoric speech being used with non-metaphoric gestures showed that the speakers are most likely to use deictic, iconic or emblem, and beat gestures. The broadest category of metaphoric speech being used without gestures showed that legal issues are often personified, objectified, or conceptualised as machines or buildings. Lastly, the analysis of non-metaphorical speech being used with metaphoric gestures revealed that speakers use gestures to show that certain legal issues are objectified, by portraying concepts as existing in space, having a physical form which is visibly lifted, moved, rotated, or as existing internally in the body, as a machine or as an action that is carried out by the speaker.

As the study of verbo-gestural metaphors in the discourse of legal issues is scarce, it was difficult to make comparisons to previous findings every step of the way. Multiple sources were consulted to make sense of the findings in different categories. However, the findings that were obtainable shows, that public discourse on legal issues does not show vast differences from written legal discourse, which is often chosen to study conceptualisation patterns in legal discourse. As in the written legal discourse, multimodal metaphors show prevalence for objectification, personification, conceptualising legal issues as machine, material, fight, or building.

This research holds considerable significance as it shows that Conceptual metaphor theory combined with the study of multimodal metaphors might bring deeper insights into the discourse of legal language. Firstly, this paper adds to the scarce research field of multimodal legal discourse, and secondly, it offers insights on how we, as speakers of English (or any other language), conceptualise legal issues. Such research provides ideas for educators, public figures and the general public a deeper understanding of legal discourse, what kind of measures might be useful in explaining complex issues, questions and problems that arise during legal procedures. This study is most valuable for its choice of discourse and offered insights into how people conceptualise and understand legal issues while speaking and simultaneously gesturing or why in certain cases the speaker uses metaphoric language but does not gesture.

Since the study was limited in time and scope, there might be some errors that have occurred in the study of the data and the author is completely responsible for that. The biggest limitation that might have affected this study is probably the lack of previous research on the verbo-gestural expression of legal metaphors to be relied on and the lack of high-quality data that is easily

obtainable. The methodological rigour might also be seen in critical light as most of the analysis was done manually in identifying linguistic and gestural metaphors.

Cienki (2017) points out that even while applying certain guidelines or systems to account for gestures, one should always consider that gestures are as much a cultural phenomenon as it is personal. Sometimes, one's birth culture might have influence on the way they speak and gesture, sometimes gestures are limited due to situations in which the speakers find themselves in, sometimes, it is a matter of personal beliefs whether the speaker consciously chooses not to gesture or use gestures in a specific way. This is one of the biggest limitations of the study of gestures in general, and the researchers must take many details into consideration if they want to draw very specific conclusions from their research. There are always many aspects to consider while studying gestural modality.

Nevertheless, it is worth noting that utmost diligence was applied during the analysis to adhere to the methodological procedures meticulously and systematically, offered by the Pragglejaz Group (2007) and Cienki (2017). In future research, there is a possibility of opting for more automated approaches and leveraging diverse software tools to mitigate researcher subjectivity.

Future research on this topic is crucial in understanding the patterns of metaphorisation more thoroughly. As it was difficult to make generalisations from few findings in some cases, a broader corpus should be compiled, or different material for the study might be chosen, e.g., natural speech in court hearings, law professors in universities explaining legal concepts, etc.

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## X. Summary in Lithuanian

Šiame darbe tiriama metaforiška teisės sąvokų konceptualizacija viešajame diskurse remiantis TED konferencijų pranešimų video medžiaga. Darbe analizuojamos kalba ir gestais (kūno kalbos elementais) reiškiamos metaforos. Darbas atliktas remiantis konceptualiosios metaforos teorija (Lakoff ir Johnson 1980) ir multimodaliosios metaforos (reiškiamos kalba ir gestais) teorija (Cienki ir Müller 2008). Šiam tyrimui tekstynas buvo parengtas surinkus TED konferencijų pranešimus pagal teisės srities raktažodžius, pvz., *justice system* (teisingumo sistema), *law* (teisė), *incarceration* (įkalinimas) ir t.t. Tyrimas buvo atliekamas naudojant MIP(VU) ir MIP-G procedūras siekiant nustatyti metaforas kalboje bei gestuose. Rasti duomenys buvo suklasifikuoti pagal Cienki ir Müller siūlomą 5 multimodalinės metaforos tipų klasifikaciją.

Tyrimas atskleidžia, kad TED konferencijų pranešėjai yra linkę vartoti multimodalines metaforas, kuriose metaforiškai vartojama kalba ir gestų nėra. Tokia metafora gali būti kritikuojama kaip nemultimodalinė, tačiau, pagal Cienki (2017) siūlomą kategorizaciją, ji išskiriama kaip multimodalinės metaforos tipas. Kitas tipas, dažnai pasikartojantis tyrimo medžiagoje buvo metaforiška kalba vartojama kartu su nemetaforiškais (ar žemo metaforiškumo) gestais. Tokie metaforizacijos modeliai yra būdingi natūraliai, spontaniškai šnekai, tad šiuo tyrimu patvirtinamos ankstesnės šios srities tyrimų įžvalgos. Tyrimas taip pat parodė, kad dažniausiai TED konferencijų pranešėjai vartojo objekto (daiktinimo), žmogaus (personifikacijos), mašinos, talpyklos, kovos, medžiagos, pastato konceptualiąsias metaforas ir per šias ištakų sritis (*source domain*) konceptualizavo įvairias teises problemas, tokias kaip teisingumo sistema, įkalinimas, teismo procesas, teisė ar įstatymai.

Nepaisant tam tikrų ribotumų, šiuo tyrimu prisidedama papildant gana menką kalba ir gestais reiškimų metaforų mokslinių tyrimų lauką teisės diskurse. Ateityje tokį tyrimą būtų



galima praplėsti naudojant duomenis iš kitokių su teise susijusių aplinkų, pavyzdžiui, studijuojant teisę praktikuojančių profesijų atstovų (advokatų, teisėjų, prokurorų) kalbą, siekiant sužinoti daugiau apie metaforiškos raiškos modelius skirtingose teisės diskurso bendruomenėse. Taip pat būtų įdomu ištirti ir lietuvių teisės kalbos metaforiškumą multimodalinėje aplinkoje, gretinant rezultatus su šiuo tyrimu bei pasitelkiant gretinamosios lingvistikos tyrimo metodus.

## **XI. Appendices**

The appendices are attached as a separate zipped document that consists of:

1. Transcribed speeches in MS Word format.
  - a. The links to the video material are provided in every document in the header section.
2. MS Excel spreadsheets with the analysis of metaphorical expressions in transcripts and in videos
  - a. The first sheet includes all metaphorical instances.
  - b. The following sheets includes the analysis of each speech with information of gestures provided by time codes.