

Contents

Introduction	IX
Chapter I. Concepts, assumptions and methodology	1
I.1. General remarks	1
I.2. The concept of metaphor	7
I.3. Embodiment	11
I.4. Metaphors – random or systematic?	15
I.5. Dead metaphors, conventional metaphors, novel metaphors	25
Chapter II. Metaphors in the texts of the law, in legal practice, and in jurisprudence	31
Chapter III. Metaphors – their role in legal interpretation and legal reasoning	63
Chapter IV. Metaphors and legal interpretation – meaning construction and reconstruction by means of metaphors ...	79
Chapter V. Metaphors and legal reasoning – the place of analogy in legal cognition	113
Chapter VI. ‘OUGHT IS IS’ metaphor as a source of the naturalistic fallacy	167
VI.1. Legislative technique as a means to express legal normativity	172
VI.2. Understanding normativity through reality – how law-maker encodes OUGHT IS IS in language and how law addressee decodes it	177
VI.2.1. Modality as a means to cognize and express normativity	177

VI.2.2. Linguistic means of cognizing and expressing normativity	181
VI.2.3. The OUGHT IS IS metaphor as a source of naturalistic fallacy	188
Conclusions	193
Bibliography	197