Summary of the doctoral dissertation

„Metaphorical character of legal concepts as seen from the perspective of embodied cognition research program"

Marek Jakubiec
Department of Philosophy of Law and Legal Ethics
Supervisor: prof. dr hab. Bartosz Brożek

The dissertation concerns the significance of the embodied cognition in the field of legal concepts analysis. Particular emphasis is put on the role played by conceptual metaphor theory. Embodied cognition is one of crucial research programs of the contemporary cognitive science; the conceptual metaphor theory is currently perceived as the most compelling theory of embodied abstract concepts.

As numerous legal concepts – such as "law", "property or "justice" – are abstract, one may attempt to explain the way they are processed taking into consideration discoveries made within the framework of cognitive science. The significance of the problems analyzed in the dissertation transcends the theory of legal concepts and affects the debates in both legal epistemology and ontology of law.

The principal purpose of the study is to offer an approach to legal concepts interpreted as embodied and abstract mental representations. The central component of the of dissertation is an analysis of conceptual processing mechanisms, i.e. cognitive processes underlying legal thinking which are reflected in the legal language. The study also aims at evaluation of the conceptual metaphor theory from the perspective of legal philosophy by attempting to determinate to what extent its application may shed new light on philosophical considerations concerning law.

Even though the embodied cognition should be perceived as a progressive research program, playing the crucial role in the explanation of cognitive

processes, some explanatory limitations, particularly relevant from the perspective of legal philosophy, need to be elucidated.

As a result, the conclusions presented in the dissertation are polemical to the views expressed in majority of publications devoted to the similar fields of study, which – with very few exceptions – do not raise methodological issues, current debates about the character of embodiment, possible interpretations of conceptual metaphors or the evaluation of the plausibility of metaphor theory.

The thesis consists of five chapters. In the first one, the meaning of the concept of "legal concept" is clarified and explaination of the abstractness as an inherent feature of legal concepts is given. An outline of the selected aspects of philosophical theories of legal concepts proposed by Alf Ross and Herbert Hart is presented. Abovementioned approaches are starting points for further considerations in following chapters, in which abstract concepts are explained using the theory of metaphor and, therefore, considered as both abstract and metaphorical.

In the second chapter, I describe main aspects of both the embodied cognition research program and the conceptual metaphor theory. Particular emphasis is put on the explication of the role played by sensorimotor simulations in cognition. The role of metaphor theory is explained in the context of the 'bridging' function of metaphors, i.e. their role in linking the concepts representing concrete, material entities, with abstract ones (*inter alia* legal concepts).

In the third chapter, I describe mechanisms of processing of selected legal concepts with emphasis on the metaphorical and embodied character of these concepts. The analyzed concepts were chosen in such a way as to exemplify varying degrees of embodiment and explanatory power of conceptual metaphor theory. The crucial part of the method is the analysis of selected linguistic expressions that are related to the respective concepts and – in some cases – analysis of behavioral experiments.

The fourth chapter begins with the presentation and defense of the 'weak grounding thesis' concerning legal concepts. 'Grounding' indicates specific relation between the processing of concrete concepts (representations of the objects we can

perceive) and abstract ones. Subsequently, description of the impact of cognitive science on the theory of legal concepts, legal philosophy and even law in action is given. The following issues are analyzed: relation between the cognitive approach and the ordinary language philosophy, the ontological discussion on artefactual character of law, and the naturalization of law.

In the final, fifth chapter, main objections to metaphor theory are discussed and the so-called 'multiple representation views' that seem promising in the further explaining the processing of nonmetaphorical legal concepts are presented. Several experiments which may facilitate corroboration or falsification of conclusions presented in previous chapters are proposed.

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Marek Jakubowski