



"Liaison magistrates" and "contact points" as a "remedy" against "high levels of mistrust": Metaphorical imagery in scholarly papers on EU judicia [

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text (article)

Analítica

Practitioners and academics have long admitted that metaphor is part of the language of the law, both in general areas and in specific fields (company law or criminal law, amongst others), and have recognized its role as basic for legal persuasion and reasoning. Such persuasive power becomes necessary not only in legal proceedings, but also when new instruments and procedures are introduced, which may come across opposition. This is the case within the European Union with what has been termed "judicial cooperation", a wide label encompassing a number of strategies and instruments making it possible to overcome problems arising from various national jurisdictions being involved in a case. In the face of resistance from some politicians, and even judicial actors, a whole body of legitimizing discourse is required, where persuasive metaphors are essential. One of these legitimization instruments is the wide array of scholarly papers analysing the evolution of judicial cooperation and attempting to underline the benefits of such cooperation. In these papers, there are frequent metaphors that conceptualize abstract notions with desirable metaphor framings based on living beings and on tangible objects (especially instruments, buildings, areas and structures), or portraying cooperation as a journey where progress is either the only acceptable option or a weapon in a fight against cross-border crime. Conversely, non-cooperation is associated with negative images, mainly obstacles and barriers, and is even seen as a disease for which the legal measures are "remedies" that "alleviate mistrust". Our study, based on an ad hoc sample of scholarly papers dealing with European judicial cooperation, will examine the role of metaphors within an argumentative strategy aimed at legitimizing cooperation procedures

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