

# THE METAPHOR OF SWOBODA IN THE TREATIES OF THE EUROPEAN UNION

Maria Teresa LIZISOWA, Professor  
University of Arts and Sciences  
Kielce, Poland  
lizis@tlen.pl

**Abstract:** The subject of this article is a linguistic analysis of the texts of the EU Treaty of 1992, as well as of the Treaty on the Functioning of the EU of 2010, with an aim to demonstrate that in these legislative acts the meanings of legal and economic terms are communicated through the means of everyday expressions, which in great measure retrace the practical way of human thinking. The author claims that in legal principles regarding the decisions about the stability of the financial market, the metaphor of **SWOBODA** (Eng. **FREEDOM**) enables to understand the abstract sphere of the creating and functioning of the European economy in the image schemas of “*obejmowanie i wnoszenie*”, typical for material objects. The freedom of establishment is conceptualized as a person, who *obejmuje* (‘otacza rękami’; Eng.: ‘takes into their arms’) *prawo* (Eng.: law), *zniesienie dyskryminacji* (Eng.: abolition of any discrimination), *działalność gospodarczą* (Eng.: establishment), as well as *wnosi* (‘umieszcza wraz z sobą w czymś’; Eng.: brings [in], ‘places somewhere together with itself’) *korzystny wkład w rozwój produkcji i handlu* (Eng.: valuable contribution to the development of production and trade). In the metaphor of **SWOBODA** are inscribed the metaphors of the EU market in the image schemas of “**PRZEPIYW [RUCH]**” (Eng.: ‘flow’, ‘movement’), “**OBRÓT**” (Eng.: ‘circulation’) and “**SOJUSZ**” (Eng.: ‘alliance’). In the Polish translation of the Treaties, economic goods are treated as if they were a **LIQUID [PŁYN]**, protected due to their expected profit; and the transfer of money, services and people producing these goods is described as **PRZEPIYW [FLOW]** of the goods. In the English text of the Treaties **INFLOW** refers only to persons, while the transfer of money, goods and services is referred to as **MOVEMENT [RUCH]**. An alternative metaphorical pattern in both the Polish and English languages is created by **OBRÓT [CIRCULATION]**. These metaphors are linked to the metaphor of the **MARKET AS A CONTAINER**, in which **SWOBODA [FREEDOM]** locates the **MOVEMENT [FLOW]** and the **CIRCULATION** of goods, services, money and persons. In the EU Treatises, the economic cooperation is depicted as a **MILITARY ALLIANCE [SOJUSZ WOJENNY]** in relation to the **STRUGGLE FOR THE MARKET [WALKA O RYNEK]**, in the economic discourse. The **metaphorical patterning** depicts the personified **SWOBODA [FREEDOM]**, sub-dependent to which are the ontological and orienting metaphors communicating the principles of the functioning of the internal EU market. Summing up, the author concludes that in the Polish translation of the EU Treaties the notions of *swoboda* and *wolność* are separated, because the word *wolność* is used in its literal meaning in the Preamble to the Treatises, so within the axiological principle of law, whereas in the regulations of these legislative acts, the word *swoboda*, used metaphorically, characterises the aspect of establishment as a principle-norm to which, in the legal regulations of these legislative acts, all the other norms are sub-dependent. In the English version such a strong polarisation of meanings does not occur.

## METAFORA SWOBODY W TRAKTATACH UNII EUROPEJSKIEJ

**Abstrakt:** Tematem artykułu jest lingwistyczna analiza tekstów Traktatu o Unii Europejskiej z 1992 roku oraz Traktatu o funkcjonowaniu Unii Europejskiej z 2010 roku, aby wykazać, że sensy pojęć prawnych i ekonomicznych są komunikowane w tych aktach ustawodawczych zwrotami potocznymi, które w znacznej mierze odtwarzają sposób praktycznego myślenia człowieka. Autorka twierdzi, że w regułach prawnych zawierających postanowienia o stabilności rynku finansowego metafora SWOBODY (ang. FREEDOM) pozwala rozumieć abstrakcyjną dziedzinę tworzenia i funkcjonowania gospodarki europejskiej w schematach wyobraźniowych „obejmowania i wnoszenia”, typowych dla rzeczy materialnych. Swoboda przedsiębiorczości jest konceptualizowana jako osoba, która *obejmuje* (tj. ‘otacza rękami), *prawo, zniesienie dyskryminacji, działalność gospodarczą* oraz *wnosi* (tj. ‘umieszcza wraz sobą w czymś’), *korzystny wkład w rozwój produkcji i handlu*. W metaforę SWOBODY [FREEDOM] wpisują się metafory rynku wspólnoty europejskiej w schematach wyobraźniowych „przepływu [ruchu]”, „obrotu”, „pojemnika” i „sojuszu”. W polskim przekładzie Traktatów dobra ekonomiczne są jak PŁYN [LIQUID] chroniony ze względu na oczekiwany zysk, a przemieszczanie pieniędzy, towarów, usług oraz ludzi wytwarzających te dobra to PRZEPLÝW [FLOW] dóbr. Natomiast w angielskim tekście Traktatów INFLOW (dosł. ‘napływ’) dotyczy tylko ludzi, podczas kiedy przemieszczanie się pieniędzy, towarów i usług określono jako MOVEMENT [RUCH]. Alternatywnym modelem metaforycznym jest w obu językach OBRÓT, ang. CIRCULATION. Te metafory są sprzężone z metaforą RYNKU JAKO POJEMNIKA (MARKET AS A CONTAINER), w którym to pojemniku SWOBODA (ang. FREEDOM) umieszcza PRZEPLÝW [RUCH] [MOVEMENT/FLOW] i OBRÓT [CIRCULATION] towarów, usług, kapitału i osób. W Traktatach unijnych współpracę ekonomiczną obrazuje się jako SOJUSZ WOJENNY [MILITARY ALLIANCE] w relacji do WALKI O RYNEK [STRUGGLE FOR THE MARKET] w dyskursie gospodarczym. Model metaforyczny przedstawia upersonifikowaną SWOBODĘ (ang. FREEDOM), której są podporządkowane metafory ontologiczne i strukturalne komunikujące reguły funkcjonowania rynku wewnętrznego Unii Europejskiej. Podsumowując, autorka wnioskuję, że w polskim przekładzie Traktatów rozdziela się pojęcia swobody i wolności, bowiem słowo *wolność* zostało użyte w znaczeniu dosłownym w preambule Traktatów, a więc w obrębie aksjologicznej zasady prawa, natomiast w przepisach tych aktów ustawodawczych słowo *swoboda* w użyciu metaforycznym charakteryzuje aspekt przedsiębiorczości jako zasadę-normę, której w przepisach prawnych tych aktów ustawodawczych są podporządkowane inne normy. W angielskiej wersji nie ma tak wyraźnej polaryzacji znaczeń.

### 1. Metaphor as a linguistic phenomenon

The language of the EU Treaties resembles that of spoken idiom. The metaphorical condensation of knowledge of the world brings about the fragmentary characteristics of the economic phenomena, through reconstructing the structure of the practical thinking of man. Detailed characteristics of this sphere of social life belong to the science of law and economics and as such is not the subject under description in the current article. The linguistic analysis of the EU Treaties presented here is aimed at portraying the features of the language in which the provisions of the EU are established, for the complex meanings of its legal and economic terms are communicated through metaphorical expressions.

The metaphorical meaning of the word *swoboda* in the Polish version of the Treaties, as well as in the commentaries to the EU provisions, sounds strange. The

English noun *freedom* is translated into the Polish nouns *wolność* and *swoboda* differently in the Preamble to the Treaties, and differently in the main part of the normative act. In the Preamble, the Polish *wolność* corresponds to both the English *liberty* and *freedom* in synonymic chains, substantiating axiologically the legal principles in the system of values. In contrast, in the legal provisions the principle of freedom has been formulated, which regulates the functioning of the internal EU market as a particular kind of an overriding norm belonging to the legal system, binding together other subordinate rules. Here the English noun *freedom* is the equivalent of the Polish noun *swoboda*. It seems that while translating the English word *freedom* the translator considered the connotations of the Polish word *wolność*, and decided it to be improper to connect this word with the establishment<sup>4</sup>.

The English word *freedom*, and its Polish equivalent *swoboda* in the expressions of legal regulations of a metaphorical nature, is a transposition of a name based on the principle of joining the conceptual domains of understanding and experiencing the abstract things through the categories typical for material things. In the process of using metaphorical expressions in a legal text, the joining together and the selective transposing of the structures of mental spheres from the physical conceptual experiences to mental experiences happens under the influence of the context. Understanding of the abstract conceptual domains of law and economics through a clearly defined structure of conceptual diagrams of movement of objects in space brings unexpected effects. On the level of the semantics of words and the semantics of sentences, both the linguistic and the situational contexts of the EU Treaties simultaneously evoke two thoughts, which operate together, referring to the notions of legal regulations within the scope of establishing a common European market, as if they were simultaneously similar and dissimilar to these notions – as identical to them, and, at the same time, with different images, depicting the existence of concrete material beings.

The EU Treaties are the main acts of the established law of the Union. The legal basis of these regulations rests in establishing a market without internal borders and the rules of its functioning. The declared goal is to uplift the standard of living of the citizens of Member States, which is to be achieved by lowering the prices of goods and the costs of their circulation as well as by ensuring a better access to services and increasing their

---

<sup>4</sup> See: **WOLNOŚĆ** 1. niezawistość państwowa, niepodległość, suwerenność; kraj, naród utracił, odzyskał wolność; 2. możliwość podejmowania decyzji zgodnie z własną wolą; mieć wolność w wyborze zawodu; wypuścić ptaka na wolność; 3. prawa obywateli przez dobro powszechne, interes narodowy i porządek prawny, wolności obywatelskie, wolność osobista, wolność słowa, sumienia, wyznania, zgromadzeń; wolny mogący postępować zgodnie z własną wolą, nie podporządkowany komuś, będący na swobodzie; wolny kraj, naród; wolny wybór, wniosek, wolny zawód 'wykonywany prywatnie'; dzień wolny, nie wypełniony pracą; wstęp wolny, bezpłatny; etat wolny nie zajęty przez nikogo (*Słownik języka polskiego*, III, ed. M. Szymczak, Warszawa 1981, p. 748). Cf. *swoboda* postępowania, przekonań, poruszania się; możliwość postępowania według własnej woli, bez konieczności ulegania przymusowi; brak skrepowania, niezależność, wolność (*Słownik języka polskiego...*, p. 376).

competitiveness, and also by making the migration of people within the EU easier<sup>5</sup>. Creating a common market was initiated by signing the Treaty of Rome in 1957 and establishing the EEC. Decisions regarding the Economic and Monetary Union were included in the Treaty on the European Union of 1992 (the Maastricht Treaty). The next – the Treaty on the functioning of the European Union of 2010 – contains decisions regarding the stability of the financial market<sup>6</sup>.

For the functioning of the common market it was necessary to liquidate administrative barriers, standardize technical regulations as well as to liquidate fiscal restrictions which could result in the rise in prices of goods and services. To achieve this goal, border custom controls were liquidated, norms and certificates as well as standards and labels in the individual areas of economic life were standardized, as were the various systems of indirect tax in individual countries. The legal decisions of the EU Treaties involving these matters include the so-called four freedoms of the free market, that is, the free movement of capital, goods, services and persons<sup>7</sup>.

Due to the subject chosen, our current linguistic analysis will include texts of the EU Treaties which regulate these matters, especially the Preamble to the *Treaty on the European Union* and the *Part three – policy and internal actions*, titles I, II and IV, of the *Treaty on the Functioning of the European Union*<sup>8</sup>. In these chapters, metaphorical depiction superimposes associative implications, typical for material qualities of auxiliary objects, on the objects of legal regulations. It is done, most probably, to make it easier for a common recipient of the communiqués to understand them through their popular and schematic structure of abstract images, typical for the world of objects.

---

<sup>5</sup> The legal basis for the commencement of work on establishing the Common Market was given by the Treaty of Rome, signed on 23 March 1957, establishing the European Economic Community (EEC) of six countries: France, Germany, Italy, Belgium, Netherlands and Luxembourg. Establishing of the Common Market required the abolition of various kinds of barriers of the administrative nature (border pass controls), disparate technical regulations (norms and certificates, labels and standards in the individual areas of life), as well as the fiscal barriers (disparate indirect tax systems in individual states), which could limit the free movement of goods, services, persons and capital, and therefore affect the rise of prices of goods and services.

<sup>6</sup> In the linguistic analysis were used: 1. Wersje skonsolidowane Traktatu o Unii Europejskiej i Traktatu o funkcjonowaniu Unii Europejskiej, Dziennik Urzędowy Unii Europejskiej 2010/C83/01, and 2. the Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, Official Journal of the European Union 2010/C83/01.

<sup>7</sup> Free movement of capital applies to independent financial transactions that have no direct relation to the movement of people, goods and services. Provisions concerning the importation of goods into the EU have been unified. Free movement of services means the possibility of establishment in another Member State and doing business on the basis of the so-called self-employment. Free movement of persons is a guarantee that all EU citizens have the right to travel without a visa and authorization, to settlement, establishment and work in any of the Member States.

<sup>8</sup> Title IV refers directly to title III of the *Treaty of Rome* of 1957.

## 2. Metaphorical depiction

Anticipating that a metaphorical depiction results from the pre-conceptual image schemas, such as metaphorical projection in the spatial concept of the world (structural metaphor), attributing a particular way of existence to non-material beings within the range of experiences of material beings (ontological metaphor), as well as manipulating with spatial images (orienting metaphor)<sup>9</sup>, I also employ the notion of metaphorical patterning, which occurs in such cases where there is a connection between a structural metaphor and several, sub-dependent, ontological and orienting metaphors<sup>10</sup>. Cognitive metaphorical patterns occur in the world of human images, and therefore they become a certain kind of idealisation of reality.

The problems of law and economics, which in the EU Treaties represent themselves in the form of a metaphorical and conceptual projection, reflect the common understanding of the economic processes on the territory of the European Union. A study of the metaphorical conceptualisation of economic phenomena situates itself not only as an analysis of word, sentence or text, but most of all as a system of associative implications, based on the principle of comparing the resources of knowledge within the two domains of social life: the abstract target domain, which is the legal norm of the internal market, and the rational source domain, which is the physical moving of material objects and organizing them in the field of vision. Due to human mental processes, the specific knowledge resources associated with the second object are superimposed on the first object. A complicated process of metaphORIZATION takes place, from selecting comparable parts of the initial space, through blending and selectively transposing the initial structure to a separate space, through identification of lexemes, syntagmas and expressions as metaphorical, and then choosing a new, temporary structure as a result of the processes of composition, supplementation and development. The choice of a target domain opens a possibility to construct discourse within this domain, and the identification of lexemes, syntagmas and expressions as metaphorical, allows one to determine the source domains through determining the scopes of the literal use of metaphorical expressions<sup>11</sup>.

---

<sup>9</sup> The division of conceptual metaphors into structural, orienting and ontological, made by the American cognitivists, Lakoff and Johnson in the 1980, from the very beginning awakened controversies and changes into this classification were introduced several times. Critical revision resulted from the existence of intermediate categories – it is presumed that the structural and orienting metaphors must be generated from the ontological metaphors. See the typology of conceptual metaphors, in: A. Kominek, *Metafora prawa moralnego...*, pp. 53-62.

<sup>10</sup> It is the cognitive theory of metaphor, which organizes the knowledge through structures of language explaining the world by everyday terms, most often in opposition to academic theories, see: Jäkel, 2003, p. 25, Kominek 2009, p. 31.

<sup>11</sup> In the history of the studies on metaphor, three periods are named by the commentators. The classical theory of metaphor reaches back to antiquity. Aristotle (384-322 B.C.) defined metaphor as the application of an alien name by transference either from genus to species, or from species to genus, or from species to species, or by analogy, that is, proportion, which is a diversion from the usual use of language. According to Quintilian (approx. 35-96 A.D.), who developed the idea of Aristotle, the substitution of one word for another happens from living beings to other living

The target domain determines the choice of a set of examples of legal reflection in the EU Treaties, from the field of social relations, economics and economy of the Member States. The present analysis focuses on conventional metaphors, conveyed by verbs and adverbial nouns as well as conventional units of words, which take the form of normative sentences of a metaphorical nature.

In the Treaties, the metaphorical imagery within the legal domain reveals itself through the personification of **SWOBODA**, based on an image schema of “obejmowanie”<sup>12</sup>, which inscribes itself into the structural metaphorical approaches of the internal market as a territory of economic cooperation, and also as a reification of economic goods in spatial orientation.

---

beings, from non-living things to non-living things, from living beings to things and from things to living beings, see: M. Korolko, *Sztuka retoryki. Przewodnik encyklopedyczny*, Wyd. Wiedza Powszechna, Warszawa 1990, p. 103. By the end of the 19<sup>th</sup> century, Ivor Armstrong Richards modified the classical theory of Aristotle and Quintilian, transferring the problem of metaphor from the level of the semantics of word to the level of the semantics of sentence. According to Richards, a statement, influenced by the context, can at the same time induce two thoughts which operate simultaneously, referring at the same time to objects similar and dissimilar, identical and different, see: T. Dobrzyńska, *Metafora*, Zakład Narodowy im. Ossolińskich, Wrocław 1984, p. 24. The concept of Richards was developed by Max Black into an interaction theory of metaphor. Black claimed, giving as an example the sentence *Man is a wolf* that a metaphorical expression links together various objects by attributing the main object with associative implications typical for the auxiliary object, see: O. Jäkel, *Metafory w abstrakcyjnych domenach dyskursu. Kognitywno-lingwistyczna analiza metaforycznych modeli aktywności umysłowej, gospodarki i nauki*, transl. by M. Banaś, B. Drag, Universitas, Krakow 2003, pp.107-108 [*Mataphern in abstrakten Diskurs-Domänen Eine kognitiv-linguistische Untersuchung anhand der Bereiche Geistestätigkeit, Wirtschaft und Wissenschaften*, Frankfurt am Main, 1997]. The cognitive concept of metaphor by Mark Turner and Gilles Fauconnier assumes that the process of the creating of a metaphor happens by blending and by selective transposing of the initial structure to a new, emerging structure, due to the processes of composition, supplementation and development, see: G. Fauconnier, M. Turner, *Tworzenie amalgamatów jako jeden z głównych procesów w gramatyce* (in:) *Językoznawstwo kognitywne II. Zjawiska pragmatyczne*, Ed. W. Kubiński, D. Stanulewicz, Wyd. Uniwersytetu Gdańskiego, Gdańsk 2001, p. 173. A different concept of cognitive metaphor was presented by Georg Lakoff and Mark Johnson. Their main points regarded: the omnipresence of metaphors, conceptual domains of perception and experiencing one kind of thing in terms of another, cognitive or cultural metaphorical patterns, conceptual and metaphorical link between the source and the target domain, the explanatory function of metaphor possible thanks to mental patterns enabling the perception of an object from target domain through a reference to experience from the source domain, invariance based on making it easier to understand the abstract conceptual domains through a clearly defined structure of pre-conceptual image schemas, the fragmentary nature of metaphorical mapping, and also the creativity of metaphor linked to vivid and elevated language or creating a new reality within various areas of human life, see: G. Lakoff, M. Johnson, *Metaphors We Live By*. University of Chicago Press 1980. An overview of previous and current research on metaphor was presented by Andrzej Kominek in a book, *Metafory prawa moralnego w dyskursie religijno-etycznym. Studium lingwistyczno-kognitywne*, Wydawnictwo Uniwersytetu Humanistyczno-Przyrodniczego Jana Kochanowskiego w Kielcach, Kielce 2009, pp. 25-37).

<sup>12</sup> Eng.: “to embrace, to hold, to hug”.

### 3. Personification of SWOBODA

The EU Treaties establish the legal rules which are postulates of a legal system regarding the aims served by law, and also the legal norms which are postulates of the proceedings of legal entities in the fields of politics and economics. Establishing the rules and norms of politics and internal actions within the EU, the Treaties organize its functioning through setting the fields, limits and conditions of competence. The contents of the rules in the directive-like meaning, different from other kinds of norms formulated in the text, emerges through juxtaposing them with their rights and freedoms. In the opening part of the *Treaty on the European Union, Title I. Common Provisions*, among the rules there named, among others, are the principle of sincere cooperation (Art. 4), the principle of conferral and within it the principles of subsidiarity and proportionality (Art. 5); along with the principles guaranteed in the Charter of Fundamental Rights of the European Union (Art. 6). The principle of swoboda (Eng.: freedom) is inscribed in the principle of the equality of the citizens (*Treaty on the European Union, Title II, Art. 9*) and also in the principles foreseen for the aim of functioning of the internal market (*Treaty on the Functioning of the European Union, part three, Title I, Art. 49*), referring to the prohibition of the “the right to take up and pursue activities as self-employed persons and to set up and manage undertakings”. Further regulations establish the norms of functioning of the EU internal market, stating that to make the principle of freedom real, the EU Parliament and the EU Council, while establishing directives, shall as a rule give priority treatment to activities where freedom of establishment *brings* (Pol.: *wnosi*) a particularly valuable contribution to the development of production and trade. It also abolishes those administrative procedures and practices the maintenance of which would form an obstacle to the freedom of establishment, and regulates the progressive abolition of the freedom of establishment in every branch of activity under consideration; see the Polish and the English texts:

1. W celu urzeczywistnienia swobody przedsiębiorczości w odniesieniu do określonego rodzaju działalności Parlament Europejski i Rada, stanowiąc... dyrektywy.
  - a) traktując co do zasady priorytetowo działalności, w których swoboda przedsiębiorczości wnosi szczególnie korzystny wkład w rozwój produkcji i handlu [...]
  - c) znosząc takie procedury i praktyki administracyjne wynikające z prawa krajowego bądź z wcześniej zawartych umów między Państwami Członkowskimi, których utrzymanie w mocy stanowiłoby przeszkodę dla swobody przedsiębiorczości;
  - f) znosząc stopniowo ograniczenia swobody przedsiębiorczości w każdej wchodzącej w grę dziedzinie działalności (tytuł IV. rozdz. 1. *Pracownicy*, art. 50).
1. In order to attain freedom of establishment as regards a particular activity, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee, shall act by means of directives.

- (a) by according, as a general rule, priority treatment to activities where freedom of establishment makes a particularly valuable contribution to the development of production and trade;
- (c) by abolishing those administrative procedures and practices, whether resulting from national legislation or from agreements previously concluded between Member States, the maintenance of which would form an obstacle to the freedom of establishment;
- (f) by effecting the progressive abolition of restrictions on freedom of establishment in every branch of activity under consideration (title IV, Chapter 1. *Workers*).

Article 50 realises the freedom of establishment which as a postulate of law refers to the goals which the law should serve. In the perspective of knowledge about the values formulated in normative acts, SWOBODA is a good, which is to be protected in a preferential manner. The provisions of Article 50 attribute to the principle of the freedom of establishment the legal validity and axiological justification to refer to it in a situation pointed out by the legislator, as well as establish the binding power of that norm-principle regulating the functioning of the internal EU market.

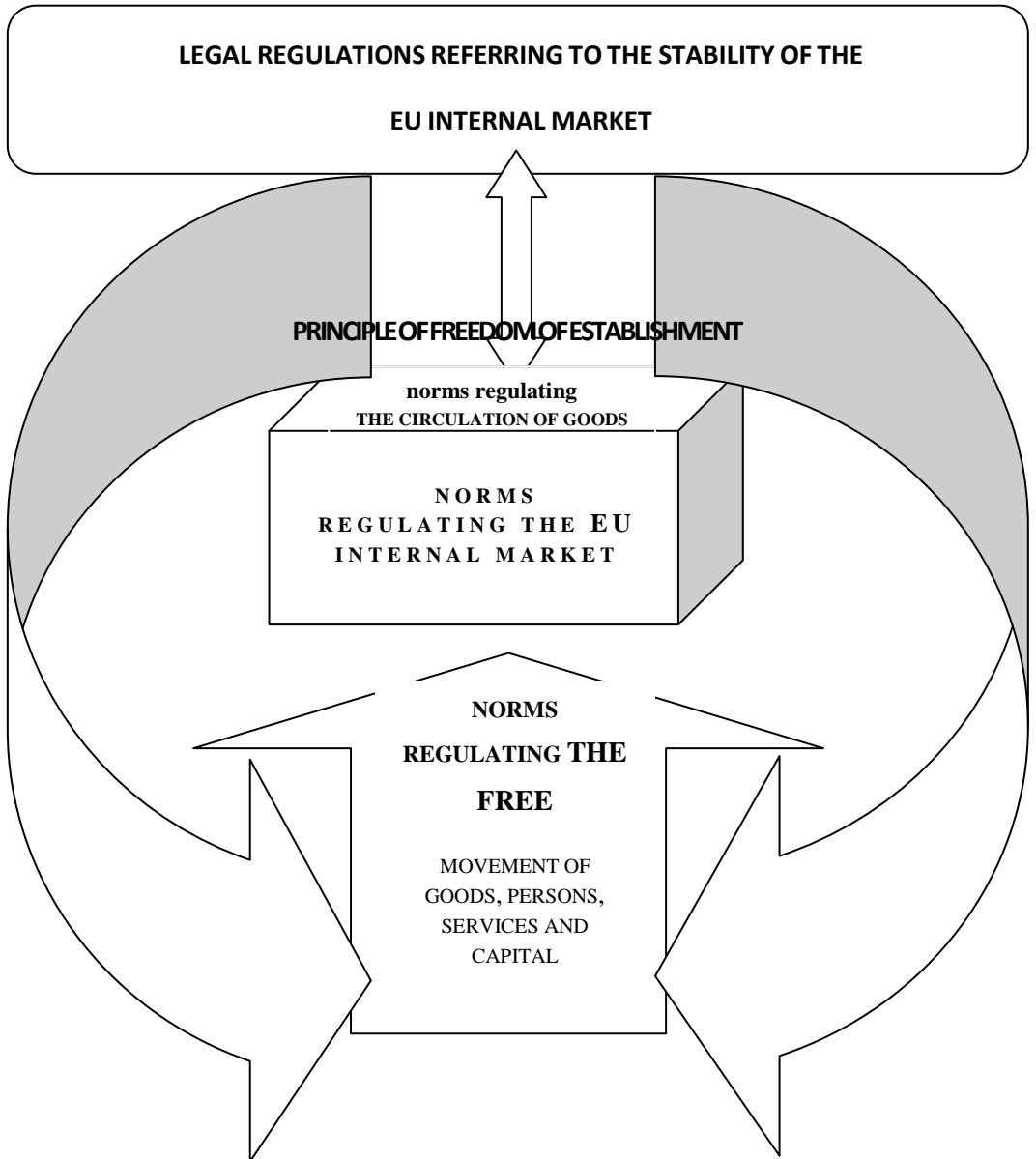
The legal norms of the *Treaty on the Functioning of the European Union*, based on the principle of the freedom of establishment, regulate the internal EU market (*Part III, Title I.*) when it comes to the free movement of goods (*Part III Title II*) and the free movement of persons, services and capital (*Part III, Title IV.*). Here we can observe the hierarchy well-known to lawyers of provisions of normative acts<sup>13</sup>. See graph 1.

---

<sup>13</sup> See: A. Redelbach, S. Wronkowska, Z. Ziemiński, *Zarys teorii państwa i prawa*, Wydawnictwo Naukowe PWN, Warszawa 1993, pp. 224-225. On distinguishing between legal principles and legal norms, see: S. Wronkowska, M. Zieliński and Z. Ziemiński, *Zasady prawa. Zagadnienia podstawowe*, Warszawa 1974. See also: T. Gizbert-Studnicki, *Zasady i reguły prawne*, „Państwo i Prawo”, book 3.



**Graph 1.** Legal terms referring to the stability of the internal market in the EU Treaties



Source: the author of this article's own study.

These complicated correlations within the scope of legal principles and norms are verbalised through the use of everyday expressions in the text of a legal act. In Article 45, **SWOBODA** is conceptualised as an embodied form which moves and adjusts objects, so, as a person who organizes the EU market and brings into this market material goods. It is attributed with human qualities of action and intention:

Swoboda ta obejmuje zniesienie wszelkiej dyskryminacji [...] swoboda ta obejmuje prawo [...] swobodnego przemieszczania się w tym celu po terytorium Państw Członkowskich (tytuł IV, rozdz. 1. *Pracownicy*, art. 45).

[Such freedom of movement shall entail the abolition of any discrimination [...] It shall entail the right [...] to move freely within the territory of Member States for this purpose] (title IV, Chapter 1. *Workers*, Art. 45).

Swoboda przedsiębiorczości obejmuje podejmowanie i wykonanie działalności na własny rachunek (rozdz. 2. *Prawo przedsiębiorczości* art. 49).

[Freedom of establishment shall include the right to take up and pursue activities as self-employed persons and to set up and manage undertakings.] (Chapter 2, *Right of Establishment*, Art. 49).

Here we are dealing with a metaphorical analogy which clearly occurs in everyday language. The metaphor in the Polish text of the Treaty is carried by two verbs *obejmuje* and *wnosi*, placed in such image schemas, as: *ktoś obejmuje kogoś*, and *ktoś wnosi coś do pomieszczenia*<sup>14</sup>. Both these verbs possess crucial meaning in an image schema: X obejmuje Y i wnosi do Z, while *obemuje* in the source domain means: ‘otacza ramionami, rękami; ogarnia’, whereas *wnosi* means: ‘niosąc osobę lub rzecz do przestrzeni zamkniętej, znaleźć się z nią tam’. The real dimension of perception refers to some really existing persons, for example: *matka obejmuje dziecko i wnosi dziecko do mieszkania*. The general character of perception in the EU Treaties is only an analogical perception, encompassing the relationships within the rightly understood syntactic structures. The similarity of such expressions as: *swoboda obejmuje prawo / zniesienie dyskryminacji* ‘ogarnia, zawiera, skupia, włącza’; *swoboda wnosi korzystny wkład w rozwój produkcji i handlu* ‘wraz z sobą umieszcza coś w czymś’, is also obvious. The transferring of a concrete theme onto relationships which are perceived in different, analogical objects is achieved here through the use of a verbal metaphor.

Ontological metaphorization of **SWOBODA** depicts the non-transparent process of legal relationships. Studying the syntactic function of the noun *swoboda* as the agent, from the point of view of legal knowledge we should observe that the metaphorical conceptualization of **SWOBODA** apparently communicates an obligation of action of

---

<sup>14</sup> M. A. Krąpiec discussed the analogical metaphorical structures in his book *Język i świat realny*, Lublin 1985, pp. 238-239; Redakcja Wydawnictw Katolickiego Uniwersytetu Lubelskiego, pp.230-247. The author believes that metaphorization is the basic element of language, studied from the times of Aristotle up to the present, focusing on what in Aristotle’s view is the substituting of a name with a foreign meaning. Therefore, it is not right to oppose the more modern theories of metaphor, and especially the 19<sup>th</sup>-century views of Armstrong Richards, with the ideas of Aristotle, *ibid*: pp. 238-239.

a quasi-recipient of the norm treated subjectively, and really it regulates not the action of the subject, but the spheres referring to the object of legal regulation regarding business.

In the categories of relationships existing in the world of legal norms, this obligation is established for the freedom of establishment and the freedom to provide services, through a common image schema. The transposing of a metaphorical meaning is jointly together with the notional and emotional reaction of the recipient of a communiqué, whose experience of economic and legal culture is common with the speaker. Thematization of **SWOBODA** in a sentence signalizes that an object (an abstract thing, not the subject – a person) becomes the agent, and the right, personal recipient of the norm remains a presupposed component: everyone should obey the rule of the prohibition of restrictions on the freedom of establishment:

Ograniczenia swobody przedsiębiorczości obywateli jednego Państwa Członkowskiego na terytorium innego Państwa Członkowskiego są zakazane w ramach poniższych postanowień; swoboda przedsiębiorczości obejmuje podejmowanie i wykonywanie działalności prowadzonej na własny rachunek (*Traktat o funkcjonowaniu UE, Część rozdz. 2. Prawo o przedsiębiorczości*, art. 49). [Within the framework of the provisions set out below, restrictions on the freedom of establishment of nationals of another Member State shall be prohibited; freedom of establishment shall include the right to take up and pursue activities as self-employed persons (*Treaty on the Functioning of the European Union, Chapter 2 Right of Establishment, Art. 49*).

It is indeed **SWOBODA/FREEDOM** – an abstract notion – which remains as the centre of the legislator's interest when it comes to economic matters. As a legal principle inscribed into legal regulations, together with its subordinate legal norms governing the functioning of the EU market, it has legal validity. The principle of freedom conditions all legal norms regulating the functioning of the EU market, established by regulations of the EU Treaties.

The metaphor of **SWOBODA/FREEDOM** becomes a part of the functioning of the EU economy. Being a component of a metaphorical pattern, the metaphor of **SWOBODA** creates a systemic link with other structural metaphors, and these in turn conceptualise the functioning of the internal EU market in further parts of the Treaties (*Part III, Title I*) and refer to the free movement of goods (*Part III, Title II*) and free movement of persons, services and capital (*Part III, Title IV*).

#### 4. The metaphor of an internal market

A German scholar, Olaf Jäkel, who studied the metaphorical conceptualization of the economy in both the German and the English language, pointed out that two structural patterns of metaphors, **WALKA O RYNEK/STRUGGLE FOR THE MARKET** and **PRZEPIYW KAPITAŁU/MOVEMENT OF CAPITAL**, play an important role in economic discourse. The struggle is carried on for the division of the territory; its goal is to obtain economic power. In the centre of this struggle remain the wars between antagonistic contractors. An

alternative for the metaphors of conflict become the international agreements, which are to replace the war-like conceptualisation of economic discourse with the metaphors of the cooperation of equal partners, possible to be imagined as a **WOJENNY SOJUSZ/MILITARY ALLIANCE** of allied economic units<sup>15</sup>.

In the EU Treaties the option of economic policy is transferred precisely from **struggle** to **cooperation**. The metaphorical approach to economic cooperation is conceptualized as follows: **WSPÓLPRACA EKONOMICZNA TO SOJUSZ WOJENNY/ECONOMIC COOPERATION IS A MILITARY ALLIANCE**. The Treaties dictate the conditions of the alliance:

Rynek wewnętrzny obejmuje obszar bez granic wewnętrznych, w którym jest zapewniony swobodny przepływ towarów, osób, usług i kapitału, zgodnie z postanowieniami Traktatów (*Traktat o funkcjonowaniu Unii Europejskiej*, Tytuł I. *Rynek wewnętrzny*, art. 26).

[The internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaties.] (*Treaty on the Functioning of the European Union*, title I, *Internal Market*, Art. 29).

Produkty pochodzące z państw trzecich są uważane za będące w swobodnym obrocie w jednym z Państw Członkowskich (ib., art. 29).

[Products coming from a third country shall be considered to be in free circulation in a Member State] (ibid., Art. 29).

The structure of the term **WSPÓLPRACA EKONOMICZNA/ECONOMIC COOPERATION** is a result of transposing, in the real dimension, the structure of the term **SOJUSZ/ALLIANCE** onto the term **SWOBODA/FREEDOM**. The EU market is treated as a territory, on which an alliance of unified states operates. The Treaties dictate the conditions of freedom understood as alliance, regulating the internal market through establishing necessary means to protect its functioning. Cooperation of equal partners – means to secure mutually advantageous conditions for the development of establishment, and freeing the market – means to cause economic growth. The Member States are unified enemies ('fellow men'), organising themselves with a common goal to effectively fight other competitors ('strangers'). The policy and the actions of the EU, regarding economic security through ensuring the free movement of economic goods, become a subject of legal regulation. Economic goods, which are abstract objects, are conceptualized as concrete objects.

---

<sup>15</sup> See: O. Jäkel, *Metafory w abstrakcyjnych domenach dyskursu. Kognitywno-lingwistyczna analiza metaforycznych modeli aktywności umysłowej, gospodarki i nauki*, transl. by M. Banaś, B. Drąg, Kraków 2003, pp. 221-224. The author mentions several economic metaphors present in the European languages and the translator translates them into adequate expressions in the Polish language, see selected examples in: *Der Autoleasingmarkt ist unverändert hart umkämpft...* [w dalszym ciągu toczy się twarda walka o rynek leasingu samochodów]; the biggest takeover battle in American corporate history [największa batalia o przejęcie władzy w historii amerykańskich przedsiębiorstw].

## 6. Reification of economic goods

Freedom of establishment as a legal norm-principle is implied by the freedom of distribution of economic goods in consequence of abolishing all discrimination within the common EU market. Therefore, the objects covered by an action or an omission of an action prescribed or prohibited, so exactly the very four freedoms of the EU, are metaphorized. The movement of economic goods within the EU happens as a „swobodny przepływ” (Eng.: “free movement”), which is regulated by legal provisions:

Zapewnia się swobodę przepływu pracowników wewnątrz Unii (rozd. 1. Pracownicy, art. 45).  
[Freedom of movement for workers shall be secured within the Union] (Chapter 1, *Workers*, Art. 45).

Usługami w rozumieniu Traktatów są świadczenia wykonywane zwykle za wynagrodzeniem w zakresie, w jakim nie są objęte postanowieniami o swobodnym przepływie towarów, kapitału i osób (Traktat o funkcjonowaniu UE, rozdz. 3. Usługi, art. 57).  
[Services shall be considered to be ‘services’ within the meaning of the Treaties where they are normally provided for remuneration, in so far as they are not governed by the provisions relating to freedom of movement for goods, capital and persons]. *Treaty on the Functioning of the European Union*, Chapter 3, *Services*, Art. 57).

In the expressions used in the Polish translation of the provisions of the Treaties, these goods are treated as if they were a kind of a **PŁYN** (Eng.: ‘fluid’), protected for the reason of some expected benefit, and their moving about within the territory of the European Union is a **PRZEPLYW** (Eng.: ‘flow’). The structural metaphor of **PRZEPLYW** is here directly lexicalized, and the ontological basis of its pattern is set on the reification of money, goods, services and people. The Polish text of the Treaty allows the creation of such a metaphorical analogy. In the English version, the word *movement* is used, which depicts mobility. Therefore in the case of capital, goods and services these abstract terms are personified in the metaphor of movement.

In the English version of the Treaty, in some exceptional cases, the migration of persons is depicted as ‘flow’; e.g. compare the Polish phrases containing nouns *napływ* and *przepływ* and the English phrases with the noun *inflow* and *flow*:

wspólny system tymczasowej ochrony wysiedleńców, na wypadek masowego napływu [a common system of temporary protection for displaced persons in the event of a massive inflow]; w celu zarządzania przepływami osób ubiegających się o azyl [for the purpose of managing inflows of people applying for asylum; znajduje się w nadzwyczajnej sytuacji charakteryzującej się nagłym napływem obywateli państw trzecich [being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries] (Traktat o funkcjonowaniu UE, art. 78; Treaty on the Functioning of the European Union, Art. 78);  
zapewnienie... skutecznego zarządzania przepływami migracyjnymi [aimed at ensuring, ..., the efficient management of migration flows] (Traktat o

funkcjonowaniu UE, art. 79, Treaty on the Functioning of the European Union, Art. 79).

Communication about the management of major economic goods as well as the transactions within the area of these goods, happens through conceptual recollection of experiences of the spatial concept of the world. Metaphorical projection is based on the fact that the defined physical phenomena (flow of liquid) in the source domain are treated as if they were non-physical phenomena in the target domain (movement of economic goods), through the projection from the source to the target<sup>16</sup>. Money, goods, services and the people producing the goods, in the Polish text are understood metaphorically, as PŁYN (Eng.: 'liquid') – in the English text it occurs sporadically, and only with reference to people.<sup>17</sup> The metaphor of flow conceptualizes economic phenomena by means of the limited way of perceiving the world through expressions referring to the change of spatial position<sup>18</sup>. It refers to mapping between conceptual domains, and not to metaphorical expressions, which are only a secondary association. The expression *movement of money, goods, services and people* implies the following metaphor: **DYSTRYBUCJA DÓBR EKONOMICZNYCH TO PRZEPLÝW PIENIĘDZY, TOWARÓW USŁUG I OSÓB /DISTRIBUTION OF ECONOMIC GOODS IS A MOVEMENT OF MONEY, GOODS, SERVICES AND PERSONS**. It is a fragmentary depiction of a schematic structure, and a pre-conceptual image schema is not fully mapped<sup>19</sup>. Activity ascribed to abstract notions, places the focus on progress in the centre of the metaphor, which suggests that the legal regulations of the Treaties establish legal norms guaranteeing the economic development of the EU Member States<sup>20</sup>.

An alternative pattern of the metaphor of PRZEPLÝW (Eng.: flow; or, in this case also: MOVEMENT) is the metaphor of CIRCULATION (Pol.: OBRÓT). Its carrier is the noun *circulation*, which in the source domain refers to the rotation of an object around its own

---

<sup>16</sup> The concept of source and target domains was formulated by G. Lakoff in *Women, Fire and Dangerous Things: What Categories Reveal about the Mind*, Chicago-London: Chicago University Press, 1987, p. 276.

<sup>17</sup> O. Jäkel relates the metaphor of the FLOW OF CAPITAL used in economics to the conceptualization of money as a LIQUID, and the financial transactions as FLOWING MOVEMENTS, proceeding to the structural metaphor of FINANCIAL HYDRAULICS, See: O. Jäkel, *Metafory w abstrakcyjnych domenach dyskursu...*, pp. 224-225. In the Polish translation of the EU Treaties the word *przeplýw* (Eng. 'flow') has vaster connotations.

<sup>18</sup> On the change of position of an object seen as a structural problem in the cognitive description of metaphor, see: R. Grzegorzyczkowa, *Teoretyczne i metodologiczne problemy semantyki w perspektywie tzw. kognitywnej teorii języka*, in: *Studia semantyczne*, Ed. R. Grzegorzyczkowa, Z. Zaron, Warszawa, Wyd. UW, 1993, p. 18 (pp. 9-22).

<sup>19</sup> Olaf Jäkel introduces a term 'physiocentrism of metaphor', See: O. Jäkel, *Metafory w abstrakcyjnych domenach dyskursu...*, p. 63.

<sup>20</sup> Horizontal movement in the Polish language is always active; in English it refers to the conceptual division of roles: the grammatical *patiens* is always passive. The active voice is ascribed to abstract terms, whereas the changing economic units remain passive (or perhaps the move by their own power, like the living beings?). In the centre of metaphor remains the focus on progress, See: O. Jäkel, *Metafory w abstrakcyjnych domenach dyskursu...*, footnote 18, p. 246.

axis, while the economic term, *circulation of goods*, in business, means buying, selling or the exchange of goods:

Postanowienia artykułu 30 i rozdziału 3 niniejszego tytułu stosują się do produktów pochodzących z Państw Członkowskich oraz do produktów pochodzących z państw trzecich, jeżeli znajdują się one w swobodnym obrocie w Państwach Członkowskich (Tytuł II. Swobodny przepływ towarów, art. 28).

[The provisions of Article 30 and of Chapter 2 of this Title shall apply to products originating in Member States and to products coming from third countries which are in free circulation in Member States] (Title II, *Free movement of goods*, Art. 28).

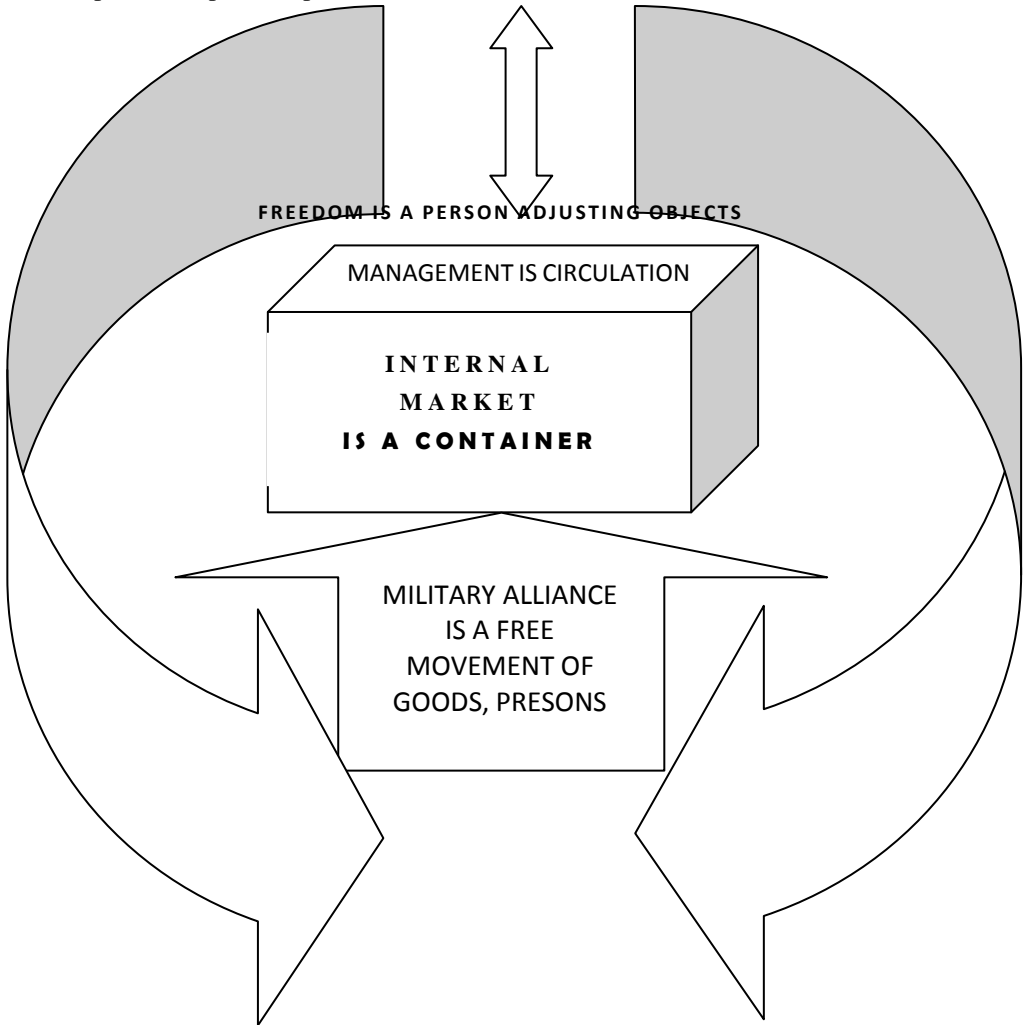
Produkty pochodzące z państw trzecich są uważane za będące w swobodnym obrocie w jednym z Państw Członkowskich [ib. art. 29].

[Products coming from a third country shall be considered to be in free circulation in a Member State] (ibid. Art. 29).

The conceptualization of knowledge in this metaphor happens through a cognitive path of movement within the same place.

The carriers of the metaphors of **FLOW/MOVEMENT** and **CIRCULATION** are modal predicates, in the theory of legal norms called legal modalities: *the products are understood as being in free circulation*; in legal texts this means that the free circulation of goods is in force, so the goods ought to be circulated freely. Therefore, the metaphors of **PRZEPIYW** (Eng.: **FLOW**) and **CIRCULATION** are linked in a common metaphorical pattern with the metaphor of the **MARKET AS A CONTAINER** and a metaphor of **SWOBODA** which, while guaranteeing the **ALLIANCE/SOJUSZ** in economic cooperation, effectively enables the movement of foods and services within the EU economic area without internal frontiers. See graph 2:

Graph 2. Metaphorical pattern of the FREEDOM OF ESTABLISHMENT



Source: the author of this article's own study.

Analysing the metaphors, we can see that the abstract objects and happenings linked to the economy, are conceptualized as real, material objects. The internal market is a container which serves for locating goods, thanks to the freedom of establishment. Within the internal market, the economic cooperation is a military alliance, guaranteeing the distribution of economic goods, as a movement and flow within a container, and the



management of these goods – as circulation. Mutual relationships between the norm-principle of **SWOBODA** as well as the norms regulating the stability of the internal EU market, and the metaphorical everyday expressions in the legal provisions of the *Treaty on the Functioning of the European Union*, are evident; they can be depicted as identical schemas – differing only with their captions. In this way, in the form of a popular metaphor, the EU Treaties establish the economic relationships in Europe, to ensure the welfare of its citizens – just as if in a fairytale with a happy ending.

## 7. Final remarks

Metaphorical conceptualization of economic phenomena is a typical usage of language, as much in the Polish, as in the English text of the EU Treaties. Here we come across the substitution of words based on similarity, just as in the Aristotle's or Quintilian's theory of metaphor, but these are not just simple entanglements in syntactic contexts, as described by Ivor Armstrong Richards. But rather, it is linking together the objects through a system of associational implications, as metaphor was understood by Max Black. In the metaphorical approach to phenomena, an important role belongs to creating conceptual metaphorical patterns within mental spaces, through merging together and through selective transposing of the initial structure onto a new target structure, thanks to the processes of composition, supplementing and development. Metaphors, omnipresent in the provisions of the Treaties make it easier, as the cognitivists claim, to understand the experience of one kind in the categories of experience of another kind, in the conceptual and metaphorical relationships between the source and the target domain as well as through a clearly defined structure of pre-conceptual image schemas, and partial metaphorical mapping through analogy.

Not including a few exceptions, in both the Polish and the English texts, metaphorization of legal principles and norms within the field of economic policy happens through the means of personification of the abstract nouns, *swoboda* (Pol.) and *freedom* (Eng.). In the *Treaty on the Functioning of the European Union* both the expressions are attributed with the possibility of volitional action. In the metaphorical pattern, the projection of the concept of the world ascribes the way of existence natural for persons to the abstract principle of establishment. The metaphor of **SWOBODA** is attributed with actions named with the nouns, *przeptyw* (Pol.) and *movement* (Eng.), which illustrate the freedom in business. The personified norm-principle of *swoboda* is active within the EU market, employing such varieties of movement as *przeptyw* (in the English version: *movement*) and *circulation* of goods and services. In the metaphor of the EU market depicted as a container, functions the freedom of establishment (Pol. *swoboda przedsiębiorczości*), guaranteeing the free movement of goods, persons, services and capital as well as their management within the framework of economic cooperation in the EU, and also within the framework of economic struggle in the world markets.

While in the legal provisions of the *Treaty on the Functioning of the European Union*, **SWOBODA** is conceptualized as a person, attributed with actions and intentions, in the Preambles to both the *Treaty on the European Union* and the *Treaty on the*

*Functioning of the European Union*, the principle of freedom (Pol. zasada wolności) is accentuated. The ultimate value is ascribed to freedom, as it is to justice, democracy, human rights and legal state, or as it is to peace. In axiological reference *wolność* (Eng. *liberty*) in the *Treaty on the on the Functioning of European Union* is declared as follows:

ZDECYDOWANI zachować i umocnić pokój i wolność przez połączenie swych zasobów, oraz wzywając inne narody Europy, które podzielają ich ideały, do połączenia się w wysiłkach (Preambuła Traktatu o funkcjonowaniu UE).

[RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts]. (Preamble of the *Treaty on the Functioning of the European Union*).

Such similarities of the metaphorical transpositions as well as the connotations of pairs of expressions, Pol. *swoboda*, Eng. *freedom* and Pol. *wolność* and Eng. *liberty* in the EU Treaties, can induce a question why in the Preamble of the *Treaty on the European Union*, which formulates the axiological principles of law, the Polish word *wolność*, comes in the place of two English words, *liberty* and *freedom*:

POTWIERDZAJĄC swe przywiązanie do zasad wolności, demokracji, poszanowania praw człowieka i podstawowych wolności oraz państwa prawnego (Preambuła Traktatu o UE).

[CONFIRMING their attachment to the principles of liberty, democracy and respect for human rights and fundamental freedoms and of the rule of law] (Preamble of the *Treaty on the European Union*)

ZDECYDOWANI ułatwić swobodny przepływ osób... poprzez ustanowienie przestrzeni wolności, bezpieczeństwa i sprawiedliwości... (Preambuła Traktatu o UE).

RESOLVED to facilitate the free movement of persons... by establishing an area of freedom security and justice...” (Preamble of the *Treaty on the European Union*).

After all, in the main text of the *Treaty on the Functioning of the European Union*, formulating the norms-principles as legal directives, the English word *freedom* unwaveringly corresponds with the Polish word *swoboda*. It seems, that the answer rests in directing the attention to the linguistic awareness of an ordinary Pole, and also perhaps maybe to the cultural tradition of Polish legislation.

It is true that in the contemporary dictionaries of the Polish language can be observed only a vague difference between the meaning of the adjectives *wolny* and *swobodny*, but there is a division between the semantic fields of the nouns *wolność* – as referred to the rights of the citizens in a legal system of a given state – and *swoboda* – as rights and privileges granted to members of a given community allowing them to act accordingly to their own will without being restricted neither by someone nor by

something<sup>21</sup>. Also the tradition of the Polish legislation is such, that *swoboda* and *wolność* occur in word chains, but as words of a different function and specificity of meaning: *wolności* (plural) every man shall enjoy by nature, whereas *swobody* (also plural) are granted by law. Already in the 16<sup>th</sup>-century Poland “*wolność* included a number of legal *swobody* (plural), such as the right to hold state offices, the right to formulate and better the law, the right to personal inviolability and integrity of assets”<sup>22</sup>. In the 18<sup>th</sup> century, freedom by birth and political freedom (*wolność polityczna*), as opposed to *niewola* (Eng.: *enslavement, captivity, slavery*), was definitely something completely different than *swoboda*, understood as self-seeking, lack of restrictions or exemption from something (Lat. *immunitas*), as opposed to *swawola* (Eng.: *insubordination, wilfulness*)<sup>23</sup>. The *Constitution of May 3* delimited the *swobody* (plural) and *wolności* (plural) of the nobility and the *swobody* (plural) and *wolności* (plural) of the peasants<sup>24</sup>. In the Preamble of this *Constitution* there is a statement about the “internal freedom of the nation” (Pol.: „*wolność wewnętrzna narodu*”), about the “consolidation of freedom” (Pol.: “*ugruntowanie wolności*”), and about the “freedom of all rituals and religions” (Pol.: “*wolność wszelkich obrządków i religii*”). The present *Constitution of the Republic of Poland*, 1997, which refers to the *Constitution of May 3*, relates SWOBODA in legal provisions to religious beliefs (Art. 25) and establishes that everyone is allowed to *swobodnie* (Eng.: *freely*) leave the territory of the Republic of Poland (Art. 52.3). It grants, among other benefits and right, the freedoms as well as human and civil rights (Pol.: “*wolności i prawa człowieka i obywatela*”, Art. 5), freedom of establishing political parties (“*wolność tworzenia partii politycznych*”, Art. 11), freedom of establishing trade unions (“*wolność tworzenia związków zawodowych*”, Art. 12), freedom of press (“*wolność prasy*”, Art. 15), freedom of profession (“*wolność*

---

<sup>21</sup> See: definitions in the *Inny słownik języka polskiego PWN*, Wydawnictwo Naukowe PWN, Warszawa 2000, vol. 2, pp. 723 and 1038.

<sup>22</sup> See: Dorota Pietrzyk-Reeves, *Podstawy wspólnotowego ładu Rzeczypospolitej w XVI wieku a wpływy humanizmu i republikanizmu*, in: *Polska czyli...*, Ed. A. Rzegocki, Ośrodek Myśli Politycznej, Kraków 2011, p. 47. Compare by the same author: the introduction to the edition of works by Łukasz Górnicki, in: Łukasz Górnicki, *Droga do zupełnej wolności & Rozmowa o elekcji, wolności, prawie i obyczajach polskich*, p. XIX. The Author quotes the view of Adolf Pawiński, who stated that the privileges of Nieszawa, 1454 were the *Magna Carta* of freedoms (*swobód*) for the Polish nobility. See: A. Pawiński, *Sejmiki ziemskie. Początek ich i rozwój aż do ustalenia się udziału posłów ziemskich w ustawodawstwie sejmu walnego*, Warszawa 1895, p. 78.

<sup>23</sup> See: Linde VI 383-384 and Linde V 532-533.

<sup>24</sup> Compare the text of the *Contitution of May 3*: „Stanowi szlacheckiemu wszystkie swobody, wolności, prerogatywy pierwszeństwa zapewniamy, prawa wolności osobistej zachowujemy, żenicę wolności obywatelskiej szanujemy, szlachtę za najpierwszych obrońców wolności uznajemy, zasadę wolności obywatelskiej zabezpieczamy” (rozdz. II. *Szlachta i ziemianie*) [We most solemnly assure to the noble estate all liberties, freedoms, we do assure the personal security, we desire to preserve the rights to personal liberty, we do respect as the pupil of civil liberty, we recognize the nobility as the foremost defenders of liberty (chapter II, *The Landed Nobility*)]; „jakiękolwiek swobody, nadania lub umowy dziedzicze z włościanami dóbr swoich autentycznie ułożyli” (rozdz. IV. *Chłopi włościanie*) [henceforth whatever liberties, assignments or agreements squires authentically agree to with peasants of their estates (chapter IV, *The Peasants*)].

wykonywania zawodu”, Art. 17), freedom of establishment (“wolność podejmowania działalności gospodarczej”, Art. 17). Whereas in the Preamble are declared the “civil rights and freedoms” (Pol.: “prawa i wolności obywatela”) as well as the “fundamental laws of the state based on the respect for freedom and justice” (Pol.: “prawa podstawowe dla państwa oparte na poszanowaniu wolności i sprawiedliwości”), and also the right to freedom and the duty of solidarity with others (Pol.: “prawo do wolności i obowiązku solidarności innymi”).

Therefore, in the Polish text of the EU Treaties, following the Polish tradition, *swoboda* przepływu osób (Eng.: freedom of movement of persons) has been distinguished within the space of *wolność* (Eng.: freedom), security and justice, so within the framework of the axiological principle of *wolność* (Eng.: liberty). In the legal provisions of the *Treaty on the Functioning of the European Union*, **SWOBODA** of the movement of capital, goods, services and people as a norm-principle, in the form of a directive, has been expressed by a noun *swoboda* (Eng.: *freedom*) or by an adjective *swobodny* (Eng.: *free*), depicting the functioning of economy in constant movement as a pattern of a metaphorical system. Whereas the word *wolność* does not occur in metaphorical situations. In the syntactic and situational context in the Polish text there is a clear differentiation, also in the *Preamble*, between ideological declarations of the legislation and the concrete decisions of the Treaties, in spite of the fact, that in the English version the polarization of these meanings is not so strong.

### Bibliography

- Bańko, M. (ed.), 2000, *Inny słownik języka polskiego PWN*. Warszawa: Wydawnictwo Naukowe PWN, vol. 2.
- Dobrzyńska, T. 1984, *Metafora*. Wrocław: Zakład Narodowy im. Ossolińskich.
- Fauconnier, G., Turner, M. 2001, Tworzenie amalgamatów jako jeden z głównych procesów w gramatyce. In: *Językoznawstwo kognitywne II. Zjawiska pragmatyczne*, W. Kubiński, D. Stanulewicz, (eds), Gdańsk: Wydawnictwo Uniwersytetu Gdańskiego.
- Gizbert-Studnicki, T., 1988, Zasady i reguły prawne. In: *Państwo i Prawo*, vol. 3.
- Górnicki, Ł., 2011, *Droga do zupełnej wolności & Rozmowa o elekcji, wolności, prawie i obyczajach polskich*. Ośrodek Myśli Politycznej.
- Grzegorzczkova, R., 1993, Teoretyczne i metodologiczne problemy semantyki w perspektywie tzw. kognitywnej teorii języka. In: *Studia semantyczne*, R. Grzegorzczkova, Z. Zaron (eds), Warszawa: Wydawnictwo Uniwersytetu Warszawskiego, pp. 9-22.
- Jäkel, O. 2003, *Metafory w abstrakcyjnych domenach dyskursu. Kognitywno-lingwistyczna analiza metaforycznych modeli aktywności umysłowej, gospodarki i nauki*, transl. by M. Banaś, B. Drag, Kraków Universitas, [*Mataphern in abstrakten Diskurs-Domänen Eine kognitiv-linguistische Untersuchung anhand der Bereiche Geistestätigkeit, Wirtschaft und Wissenschaften*, Frankfurt am Main, 1997].
- Kominek, A. 2009, *Metafory prawa moralnego w dyskursie religijno-etycznym. Studium lingwistyczno-kognitywne*. Kielce: Wydawnictwo Uniwersytetu Humanistyczno-Przyrodniczego Jana Kochanowskiego w Kielcach.
- Korolko, M. 1990, *Sztuka retoryki. Przewodnik encyklopedyczny*, Warszawa: Wiedza Powszechna.

- Krapiec, M. A., 1985, *Język i świat realny*. Lublin: Redakcja Wydawnictw Katolickiego Uniwersytetu Lubelskiego.
- Lakoff, G., 1987, *Women, Fire and Dangerous Things: What Categories Reveal about the Mind*. Chicago-London: Chicago University Press.
- Lakoff, G., Johnson, M. 1980, *Metaphors We Live By*. Chicago: University of Chicago Press.
- Linde, S. 1807-1814, *Słownik języka polskiego*. Warszawa: Drukarnia XX. Piarów, vol. V.
- Linde, S. 1807-1814, *Słownik języka polskiego*. Warszawa: Drukarnia XX. Piarów, vol. VI.
- Pawiński, A., 1895, *Sejmiki ziemskie. Początek ich i rozwój aż do ustalenia się udziału posłów ziemskich w ustawodawstwie sejmku walnego*, Warszawa.
- Pietrzyk-Reeves, D., 2011, *Podstawy wspólnotowego ładu Rzeczypospolitej w XVI wieku a wpływy humanizmu i republikanizmu*, in: *Polska czyli...*, A. Rzegocki (ed.), Kraków: Ośrodek Myśli Politycznej.
- Redelbach, A., Wronkowska, S. Ziemiński, Z. 1993, *Zarys teorii państwa i prawa*. Warszawa: Wydawnictwo Naukowe PWN.
- Szymczak, M. (ed.), 1981. *Słownik języka polskiego*. Warszawa.
- Wronkowska, S., Zieliński, M., Ziemiński, Z., 1974, *Zasady prawa. Zagadnienia podstawowe*, Warszawa.

