

# **“Our Country is a Freedom-Loving Country”: the Spreading Virus as Metaphor for ‘People on the Move’**

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## **Abstract**

Although Covid-19 has been framed using all manner of metaphors, an as-yet under-examined question is how the spreading virus might itself serve as a metaphor and what purpose this might serve. The article redresses this deficit by identifying shared experiences of the mobile virus as the basis for a metaphorical framework for evaluating and judging human behaviour, including alleged rule-breaking, during the pandemic. The article traces the appearance of the metaphor spreading across a broad spectrum of sources that includes political speech, the reporting of crime in prosecutorial and local media sources, judicial opinion and poetry. We observe in some limited contexts a straightforward metaphoric transfer or substitution between mobile people and the mobile virus. In a greater number and variety contexts, we find instead more subtle signs of the metaphor: the censoring of bad behaviour and the justifying of coercive treatment using the metonymic elements of the virus’s spread: its characteristic unpredictability, speed, agility, irrepressibility, and relentlessness.

## **Keywords**

Covid-19, metaphor, movement, coronavirus, law and humanities.

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## Introduction

A now well-observed feature of the Covid-19 pandemic is the various ways in which it may be conceptually framed – through metaphors pertaining to war (Gillis, 2020; Hanne, this issue), divine intervention (Silva, 2020), or even an inferno (Semino, 2020) – as is the extent to which these frames are plausible, useful or problematic (Craig, 2020; Rahman, 2020). But an as-yet under-examined question is how the spreading virus might *itself* serve as a metaphor and what purpose this might serve. The article redresses this deficit by identifying shared experiences of the mobile virus as the basis for a metaphorical framework for evaluating and judging human behaviour, including alleged rule-breaking, during the pandemic.

Covid-19 as a foundation for movement metaphors warrants scrutiny in the first place because public debate during the pandemic has often been dominated by talk about the virus's movements: about the speed and impact of its spread, the agility with which it varies its shape through new strains, where it is advancing and retreating, its reaching of peaks and the build-up and onset of its waves. Likewise, responding to the pandemic inevitably means trying to halt or at least slow its progress. Furthermore, imposing and enforcing restrictions on the movement of people have been central to government interventions, attaching new significance to particular movements previously considered trivial in legal terms: to 'mingle', 'gather' (The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 SI 1374) and 'leave the place where [one is] living' (The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, SI 350, reg 6) are all specifically named movements at various times subject to restrictions. These preoccupations with physical movements lend a particular appropriateness to movement metaphors in debating public health responses: of the right *direction* for policy (with or without the help of a

‘roadmap’), whether people *follow* the rules (which have themselves been subject to confusingly *rapid* change), and *advances* and *set-backs* in the development (and then distribution) of vaccines (Nerlich, 2020).

But beyond all of these literal and figurative aspects of movement, this article traces the characteristics of the spreading virus itself – its unpredictability, speed, agility, irrepressibility, and relentlessness – across a broad spectrum of sources that includes political speech, the reporting of crime in prosecutorial and local media sources, judicial opinion and poetry. Like other public health crises before it, Covid-19 has had a major impact on the normative framing of all manner of behaviours. This impact engages law and of the role of the state in laying down and enforcing rules. This article adopts a broad definition of the scope of ‘legal’ studies, a breadth in part justified by periodic confusion about the difference between instructions that are legal obligations and those that constitute mere guidance, as well as uncertainty about the threshold for enforcing them (JCHR, 2020). It also engages the imagination and creative responses, the latter often representing an effort to find ways to achieve relief during crises from upheaval and anxiety (Nerlich and Doring, 2005). This is why the article looks across disciplinary lines to include a broad range of sources for analysis. It draws on particular sources of political and legal interest, as well as on two poetry collections: one edited by Carol Ann Duffy (2020) (577 poems including established poets) and the other by Chloe Garner (2020) (282 poems by mainly amateur contributors).

The article begins by describing the approach adopted with respect to understanding metaphor. The first section reads recent developments in law and humanities research with Lakoff and Johnson’s (2003a) cognitive linguistics to sketch a preliminary picture of relevant observations in the literature about the centrality of movement in legal thought. The section that follows then lays out the main contribution of the article, examining how shared common experiences of the spreading virus can serve as the basis for a metaphorical framework that

assists in evaluating human behaviours, including alleged breaches of rules. We observe in some limited contexts a straightforward metaphoric transfer or substitution between mobile people and the mobile virus. In a greater number and variety contexts, we find instead more subtle and contestable signs of the metaphor: the censuring of bad behaviour and the justifying of coercive state treatment of vulnerable people that make use of the metonymic elements of the virus's spread: its characteristic unpredictability, speed, agility, irrepressibility, and relentlessness.

### **Physical and Metaphorical Movement in Law and Humanities**

We start with the cognitive linguistic insight that “our very understanding – our mode of being in and having a world – is metaphoric and imaginative” (Johnson, 1997, p.155) and rooted in our most fundamental and shared corporeal experiences. Hence, our ‘living’ metaphors are those shared frameworks of thought produced by imaginatively extending out from our basic embodied experiences (Lakoff and Johnson, 2003a, 2003b). Bodily experiences of movement provide a cognitive basis for comprehending more abstract ideas and principles enshrined in law. An early adopter of this view was Thomas Hobbes (1651), who in his *Leviathan* asserts that “Liberty, or FREEDOME, signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion;)”. For Blackstone (1765), too, “personal liberty consists in the power of loco-motion, of changing situation, or removing one's person to whatsoever place one's own inclination may direct; without imprisonment or restraint...” (p.130).

For Hobbes and Blackstone then, understanding liberty or freedom as abstract principles in legal and political thought requires an appreciation in the first place of *physical* and *bodily* motion. Lakoff's own later remarks on the subject adopt the same terms,

modifying them only insofar as he explicitly acknowledges that the shared experience of bodily motion is the physical basis from which the relevant ideas and principles derive meaning as metaphors: “the concept of liberty or freedom has to do with the issue of constraints, which is conceptualized and reasoned about as if it were constraints on motion” (Pires de Oliveira, 1998, p.95). In this respect, the cognitivist interest in the emergence of broad concepts typically leads to a positive association between movement (which in political discourse is in any case already a common metaphor for progressive change) and ideals of freedom, liberty, democracy and growth (Gurnham, 2019). But of course, not all the associations of movement are positive, and so in order to appreciate its finer-grained complexity, our analysis of its appearance in our sources also engages what Monika Fludernik (2005) has called “metonymic guesswork” (p.228) and “the uncanny ability of metonymy to take the reader a short cut to very complex scripts, scenarios and cultural frames” (p.242).

Offering a productive way of taking these insights forward is a body of ‘new materialist’ scholarship from within the law and humanities tradition, which has made two observations of relevance here. First, that movement is always of crucial significance for law: that “there is no law without movement” (Barr, 2016, p.3), and that law is a site of “constant movement in different temporal scales” (Davies, 2017, p.58). Second, that the significance of movement for understanding law is just as much *physical* and *material* as it is metaphorical, abstract or conceptual: that law actually has substance which “moves in very particular ways through patterns of technical and material practice” (Barr, 2016, p.3), that “bodies ... carry the law with them in their moves and pauses ... [and it] spreads ... between people and things, between bodies material and immaterial” (Philippopoulos-Mihalopoulos 2014, p.90-1) and across “porous boundaries” (Davies, 2017, p.58).

Before examining the way that the spreading coronavirus works as a metaphor, it is necessary first to review some examples of how, in the law and humanities literature, movement has already been shown to assert itself in law. In doing so, we pay particular attention to two matters that will be of importance in our own analysis below: 1) that descriptive observations about the experience of movement in a context that engages law in a broad sense can also carry implicit prescriptions, or at least an invitation to engage in normative thinking for which the idea of movement provides a conceptual scaffolding; 2) that although the relevant humanities scholarship seems explicitly to celebrate the ceaselessness of the movement characterising law, close attention to the metonymic elements used in some of the literature to depict that characteristic also carry darker undertones, suggestive of a danger of being overwhelmed, engulfed or trampled.

Consider the work of Davina Cooper (2001) and Margaret Davies (2017) on legal pathfinding. Cooper imagines the creation of new legal ‘paths’ that result from “multiple tramping of the same soil” (2001, p.129); the periodic transformations of the normative or legal ‘landscape’ by all that trampling may sometimes be enabled by policymakers removing obstacles in the way of change or may alternatively be a result of a figurative cutting across “the thicket of everyday practice [where] unfavoured or even illegal trails ... may continue to be trodden” (p.129). For Davies (2017), legal reform may be initiated informally by a “beaten track across a piece of grass where collective practice is to cut across an area” (p.148), such that the eventual formation of new ‘pathways’ results from “the repeated movement through time and space along a particular trajectory.” (p.76) The overall tenor of Davies’s work in particular, while certainly not uncritical, is more often than not consistent with the positive view rendered in the cognitivist linguistic approach of movement as an enabler of progressive or at least constructive change. At the same time though, the image of a ‘multiple tramping of the same soil’ could equally point in an altogether less productive direction, metonymically

linked, not necessarily to a happy opening up of new possibilities, but to environmental destruction, civil unrest and disorder. Might not all of those feet threaten to trample, not merely grass and soil, but cherished norms, or even those who get in the way?

Applying movement in a different context, Lawrence J Taylor (2010) describes the northward migration of people towards the US/Mexico border and the two antagonistic interventions that it continually produces: the humanitarian “mark[ing] and open[ing] [of] paths that transect the border” on the one hand, and the anti-immigration moves to literally and metaphorically “draw a line in the sand, blocking movement” on the other (p.309). The simple fact of that relentless movement and the forces that produce it, means that no one geographically affected by it (or indeed anyone reading Taylor’s descriptions) can avoid a confrontation with an intractable normative question. In a similar vein, Barr (2017) refers to a peace march in Melbourne in 2012 following the rape and murder of a local woman not only as a part of a metaphorical peace ‘*movement*’, but also as an example of the physical enactment of popular public law. Like Taylor’s observations about the ‘moral geography’ of the US/Mexico border, Barr’s description of that mass movement of bodies is unavoidably linked metonymically to the broader metaphor of movement by the sense of the irrepressibility of so many bodies and souls: the Melbourne peace march representing the outpouring of feelings that it had become impossible to contain within the ordinary institutional channels of state-administered justice.

This idea that the description of a Canutean tide or swell of humanity can foreground normative questions informs also Barr’s (2016) wider jurisprudence of walking. Barr’s jurisdictional context is Australia and the English colonisation of that country as an example of law moving across the land, juridifying it and creating particular legal relations. Barr’s guiding metaphor is drawn from Blackstone’s reference to English law being ‘carried’ with



the colonising Englishman where-ever he goes, and the quotation from her book is one that he return to later:

When the English subject moves, ‘wherever they go’, ... English law is carried with them. When the English subject moves, so too does common law, which includes movements such as walking, cycling, driving, flying and movements in relation to the dead. (p.76)

Barr’s common law is as a faithful travelling companion that assists the English colonial explorer to keep safe on his travels, and if needs be to subdue unruly locals. The latter may well initially come in peace therefore, but ‘wherever they go’, the violence of irresistible occupation and the overriding of existing laws and customs is always implicit.

This section has reviewed some of the cognitivist and new materialist literature in order to establish at the outset the intellectual routes by which we come to our own exploration of the subject of the spreading virus as a metaphor for framing normative and legal evaluation. The key characteristics of the virus observed below as a foundation for metaphorical thinking across a variety of texts are some of the same characteristics that many of the materialist legal scholars identify in law itself: its *circulation* and *spread* between ‘bodies material and immaterial’, across ‘porous boundaries’, going ‘where-ever [people] go’, and a sense that the movement in question is irrepressible, unstoppable, relentless. In the present context, these qualities of the virus’s movement (and others besides – its speed, agility, unpredictability) give rise to decidedly negative associations being attached to the movement of certain people in certain contexts, and a celebration of stillness, patience and passivity.

## **Movement, Metaphor and Covid-19**

We therefore turn now to the question of how the experience of the spreading virus works as the basis for a conceptual metaphor that assists in the evaluation of human behaviours, including alleged rule-breaking. As noted at the start of this article, there are two ways in which the metaphor asserts itself in discourses of this kind. The first of these is the way that conforms most closely to the dictionary definition of metaphor as a “figure of speech in which a name or descriptive word or phrase is transferred to an object or action different from, but analogous to, that to which it is literally applicable” (OED Online, 2021). Such a simple and direct ‘transfer’ or substitution of words in this context is not very common, and a few isolated examples are considered in the first sub-section below. The second, much less direct way, and one subject to greater scope for contestation, relies on identifying in our sources the metonymic elements of viral spread. Examples of these are discussed across all three sub-sections below, with respect to justifying coercive and discriminatory public health measures, the significance of queue-jumping in framing criminal and anti-social behaviour, and judicial censure of illegal occupation of green belt land.

### ***Circulating Pathogens and Circulating People***

Political and public health leaders commenting on the pandemic can sometimes conflate (or at least fail to distinguish between) the movement of the virus (circulating around the world, within and between bodies and communities) and the movement of people. During 2020, political leaders and expert commentators warned, for example, that as the speed at which the *virus* spread becomes more rapid, thus *we* increasingly find ourselves at a ‘cliff edge’, ‘on the brink’ or ‘precipice’ – terms that are all suggestive of the moment prior to a fall and a build-

up of kinetic energy. Leaders and commentators also began to distinguish between ‘full lockdown’ and a more palatable ‘circuit-breaker’ or ‘firebreak’ lockdown (see Semino, 2020 on ‘fire’ metaphors for contagion, pp.55-6). The latter terms are semantically focused on breaking the circulation of the virus rather than the circulation of human and economic activity, even though both in aim and the practical impact, these alternative forms of lockdown might well be identical.

This contiguity between human and virus can in some instances give rise to very direct and straightforward metaphorical substitution of one for the other. For example, in a speech in Parliament intended to explain why the *virus* seemed to be circulating more freely in Britain than in Italy or Germany, the British Prime Minister replied, without directly referring to the virus, that what made Britain different from “many other countries around the world”, was that “our country is a freedom-loving country” (Commons Hansard, 2020, col. 814). In the United States, the official White House physician Dr Sean P. Conley found himself navigating similar linguistic terrain when he explained that he had not initially been candid about the health of President Trump (the latter having been hospitalised after testing positive for Covid-19) because he “didn’t want to give any information that might *steer the course of illness in another direction*” (Waller and Morales, 2020, emphasis added). Dr Conley’s explanation can only make sense if we understand that he is using ‘illness’ figuratively – as a metaphor for the patient himself. He thus implies, without stating explicitly, that it had been necessary to avoid making any public statements that might have incited the infamously unpredictable President to risky behaviour.

This peculiar linguistic interchangeability between the movement of people and the movement of the virus underlines the difficulty of fully separating literal and metaphorical meaning in this context. It is of course the case that impacting on the movement of a virus to which the general population is vulnerable means enacting policies and enforcing restrictions

that impact on the movements of people, and hence not surprising that there should be some degree of semantic slippage between the two. In those statements by the President's physician and the British Prime Minister, the clear implication is that a key challenge presented by coronavirus is the way that it is so bound up with the performance of bodily actions that are themselves the stuff of law: exercising freedom to move around, associate with others, conduct a family life and to transact business, all of which involve legal rights, duties and making agreements.

Beyond these arguably slightly unusual instances of metaphoric substitution though, the application of the idea of viral spread as metaphor in other discourses becomes less direct or decisive, and also more controversial and contestable. Consider discourses around the coercive treatment by certain states of what Amnesty International (2020) have called 'people on the move' during the pandemic, an expression that establishes a metaphorical connection with Covid-19 in a way that is clearly not a simple application of the metaphor, but that nonetheless engage it implicitly by way of its metonymic characteristics. National measures put in place on public health grounds that result in increased risk of harm for migrants are now well documented: for example the pushback of sea migrants from Mediterranean ports, and the declarations by Malta and Italy that due to Covid-19, their ports are 'not safe' for the disembarkation of rescued irregular sea migrants in apparent defiance of international law (UN, 2020). Of interest for present purposes however is the linguistic designation of 'people on the move' that identifies not merely marginalised but specifically *mobile* marginalised populations as those most egregiously discriminated against by measures ostensibly targeted at halting the spread of the virus.

Opinions will sharply divide on the legality, justifiability or proportionality of public health measures that marginalise communities. What is clear however is that public health language about the need to control and contain a mobile virus is being used to lend a

legitimising framing device about the need to control and contain mobile populations. For example, the Italian Inter-Ministerial Decree (2020) number 150 of April 7<sup>th</sup> declares that since the onset of the pandemic, “Italian ports do not ensure the fulfilment of the requirements [of a] place of safety”. This seems to suggest that it is the fact of being on Italian territory that is not safe *for migrants* and that poses a potential danger to *their* lives. However, that reading is flatly contradicted by the preceding two pages of “considerations” which make clear that the reason for closing the ports is that the “prevention of the risk of contagion” requires preventing the rescued migrants from entering Italian territory who would otherwise worsen the “current critical situation of Italian Regional Health Services”. Relatedly, on the basis of the disregard allegedly shown by Roma communities for prohibitions on assembly and on moving around in large groups, Bulgarian authorities reportedly quarantined them within towns and cities, describing coercive measures as a justified response to a “a collective threat to the general population that needs to be controlled and contained” in order to “protect the general population” (Amnesty International, 2020, quoting the Bulgarian National Movement and the Bulgarian Interior Minister, respectively).

We do not claim to identify in these expressions a direct use of viral spread as a metaphor for the spread of undesired populations, which would be too reductive and simplistic an analysis. But it is nevertheless worth reflecting on how these utterances connect the targeted populations with metonymic elements of the virus, and thereby appeal to popular anxieties about health, security and migration. Amnesty International’s designation of ‘people on the move’ as being targeted by punitive public health measures remind us that those populations share key qualities of Covid-19 in the popular imagination – its relentless, unpredictable and potentially overwhelming movement – that makes the virus so dangerous. The metaphor of movement as a way of framing the issue asserts itself therefore not by straightforward transfer or substitution of words (unlike in the case of Dr Conley’s

admission), but rather by reliance on popular recognition of certain characteristics of viral spread.

A broadening of our scope to include poetic responses to the pandemic, and poetic exploitation of metonymic allusion to an underlying metaphorical frame of reference, gives us an opportunity to pursue this point further. Such a broadening of scope is, I would argue, justified by the fact of some crucial commonalities between the language of poetry and those of policy, politics and law. Like the other forms of linguistic expression considered here, poetry draws on a common store of ‘everyday’ metaphors that help to make sense of shared experiences (Pires de Olivera, 1998); like policy and legal language, poetry has a capacity to “help us to explore the creation of social identities, solidarities and communities” (Nerlich and Doring, 2005 p.167-8); it shares also the capacity to distil experiences and perceptions through carefully crafted and deployed words. Poems were selected for analysis in this article from collections that were broadly contemporaneous with the ‘first wave’ of the pandemic and the first tranche of coronavirus law-making in the UK, and that included work by both established and amateur poets and representing various styles and forms.

Several of the poems collected here emphasize the difficulty of disentangling references to the movement of the virus and the movement of people. Duncan Taylor’s ‘Two days in April’ describes the apparent gulf between the freedom of movement enjoyed by the virus and the restricted movement of people in lockdown: ‘silence reigns / the virus roams / out there, somewhere.’ (Garner, 2020) If we are convinced by that vivid imagery however, it might be that we forget that the virus’s movements are inextricably connected to the movement of human bodies, and that the latter are required as the vehicles for the virus’s own movements. Grace Nichols takes a different approach, perhaps in acknowledgement of this point, in her poem ‘Harbour’ (Duffy, 2020). Instead of wishing to see the movement of the

virus stopped, her poem encourages readers to draw on the strength of the virus itself, namely its *mobility*:

The impromptu arias at windows  
and balconies, the orchestras of pots  
and pans and hands beating a metronome  
Of gratitude to keep airborne  
the spirits of our nurses, doctors,  
all our care-workers.

***Patience is a Virtue: Queue Jumping as Metaphor in Framing (possible) Rule-Breaking***

The Covid Regulations had some important effects in terms of shared material and physical experiences of law and its observance. The new legal aesthetics of signs, lines and markings directed at pedestrians and indicating one-way routes, no-entry, and reminders to observe social distancing promoted codes of normative behaviour which, whilst not new as such, were nonetheless novel in being backed by the threat of legal sanctions. From the very start, movement has been central to these norms. In addition to the restrictions on movements including international travel, ‘gathering’, ‘mingling’ and ‘leaving the place where [one] lives’, social distancing rules in public places has meant that lawful public behaviour during the pandemic requires the exercise of the patience, forbearance and self-abnegation necessary to wait in often long queues outside of shop doors and other services. Crucially for our investigation on movement, this has also meant being content to proceed slowly, shuffling forwards caterpillar-like under the authority and observation of store staff, security or automatic traffic-light system.

With experience of new rules comes experience (at least as a witness) of rule-breaking, and ostensibly descriptive accounts of queue-jumping during 2020 provide more useful information on how shared experiences can be provide material for a reimagining and reconstruction of a conceptual metaphor. Reviewing the many scores of police press releases and crime news reports in 2020, a couple of things are noticeable. The first is that there evidently were innumerable cases of suspected assaults, criminal damage and breaches of the peace understood as being ‘coronavirus-related’ inasmuch as they involved suspects also violating Covid rules and/or guidance. The second is that a number of these reports do not refer to any *specific* instance of breach of the Covid Regulations, but do refer to the suspect attempting to engage in queue-jumping (e.g. Sherwood, 2020; McGuinness, 2020; Melton, 2020; Speare-Cole, 2020). This is also true of reporting by the Crown Prosecution Service itself, who recorded over 5,300 prosecutions between April 1 to September 30 2020 for assault, criminal damage, public order and other offences it flagged as “coronavirus-related” because they involved “suspected rule-breakers” (CPS, 2021). Included in this category of ‘suspected rule-breakers’ are attempted queue-jumpers, for example the ‘Poundland queue-jumper’ who, in common with all of the suspects reported in the broader collection of reports referred to above is sharply distinguished from “members of the public who were patiently waiting their turn in the queue” (CPS, 2020).

How do these observations engage the metaphor of movement? In all these cases, the agitated, agile and unpredictable movements performed by the ‘suspected rule-breaker’ are contrasted against the slowly co-ordinated shuffling or flowing of law-abiding members of the public and stands in for some more specific breach of the Regulations. After all, queue-jumping is undoubtedly a signifier for many of a mindset that is bad enough already – and of an attempt by the suspect to shake loose those crucial societal bonds which Hobbes (1651) described as being “in their own nature but weak [but] may nevertheless be made to hold, by



the danger, though not by the difficulty of breaking them.” Queue-jumping is significant as a legal device therefore because it lends significance to otherwise discrete and unrelated acts of anti-social or criminal behaviour as part of a larger narrative about Covid-19. Amira Challenger’s ‘Lockdown Lament’ is typical of a number of the poems in our set in its sharp normative differentiation between the necessary movements for survival from those of rule-breakers attempting to get ahead of the ‘line’:

You stand too close  
Breath on my neck  
‘Move’ I say  
‘two metres away’  
Yet here you are  
On your daily  
Walk of the line  
Trying to thrive  
While I try to survive. (Garner, 2020)

To the extent that identifying instances of queue-jumping help to separate ‘coronavirus-related’ from ‘ordinary’ offending, it takes its place within a history of political, cultural and legal applications that frame ‘fairness’ arguments, both before and after 2020. Used in combination with related metaphors of the ‘fast-track’ and ‘short cut’, it has often been deployed pejoratively by lawmakers seeking to insist that every person should get their due, and no more. For example, targeting ‘lone mothers’ alleged to have been previously prioritized over more ‘responsible’ childless married couples for housing, a Conservative Housing Minister promised that proposed reforms to the Housing Act 1985 would “safeguard

the safety net; reduce the waiting list, and cut out the short cut” (Wilson, 1994). The queue-jumping metaphor also appears in hundreds of reported legal judgments, a Lexis Library search in March 2021 of judgments in England and Wales revealing its use in scores of cases in each of property, immigration and commercial law and many other areas besides and in all courts for which judgment transcripts are published.

As a species of movement associated with disregard for lines indicating separation and boundaries, queue-jumping may also stir more ancient notions of legality. The act of drawing a line that creates an imaginary or symbolic boundary between people “encloses a particular kind of space – a space of acceptable conduct” (Davies, 2017, p.135); it reminds us that the Greek word for law (*nomos*, which also means ‘custom’) itself derives from *nemo*, which means ‘to separate’. To draw lines separating parcels of space gives legal meaning to those spaces, which must then be “maintained by social interaction” (Blandy and Sibley, 2010, p.278). In this light, we may recognise in the delineation of social distance, in queue-jumping and the censure of those lacking the self-discipline necessary to observe them, an echo of law emerging from attempts to curtail and contain movement by acts of demarcation and boundary-setting.

Further information may be gleaned about queue-jumping as a possible component of a larger movement metaphor from its adoption as the orthodox framework for conceptualising attempts to affect the distribution of Covid-19 vaccines: behaviour that is potentially but not necessarily illegal. In the first months of 2021, the most common media stories about unfairness associated with the pandemic were stories about vaccine queue-jumping. During March 2020, over a third of the top thirty Google hits pairing ‘coronavirus’ and ‘queue’ concerned alleged or hypothetical cases of the improper use of connections, wealth or deceit to ‘jump the queue’ for a vaccine. Like references to its physical equivalent, the wrong involved in ‘jumping’ or ‘cutting in’ on the queue primarily derives not from

consideration of whether rules have been breached, but rather from the irregularity of movement that the expression implies, the failure to wait for one's turn producing a proxy for illegality.

This is illustrated by a case involving alleged vaccine queue-jumping by senior leaders of Worcester County Council that prompted a particularly telling defence from its Chief Executive Paul Robinson. Asked why he and his colleagues had accepted the vaccine despite it not being their turn, Robinson replied:

*We were approached by them [NHS Clinical Commissioning Group] to say that having been through all their priority lists, there was a risk that these Pfizer vaccines, ... which can't be moved and can't be taken to other locations, were going to go to waste. And therefore, they asked us to provide a reserve list of people who are what they call system leaders... It was offered to West Midlands ambulance service before it came to us ... I wouldn't necessarily put myself there ahead of others, but this was about ... vaccines that would have gone in the bin if we hadn't taken them up; this is not about taking them away from the clinically vulnerable (BBC, 2021, my transcription, emphases added).*

Robinson is describing a contrast between himself and other factors in terms of movement and motion: namely that the *active* agents leading to the alleged upset of the figurative queue were the NHS Clinical Commissioning Group (who 'approached' them and had 'been through' their lists) and the vaccine itself (characteristically intransigent, and as such heading only towards 'waste' and 'the bin'), and that his role and the role of his fellow Worcester CC senior leaders was essentially a *passive* and a *static* one. All he and his colleagues had done was *wait* to be called up. The framing of an act of wrongdoing in terms of queue-jumping or

cutting suggests that wrongful or intolerable behaviour is associated with movements that are unrestrained, that disregard lines and boundaries: again, the metonymic elements of the virus-in-motion observed above.

### ***Virus Metaphor and Metonymy in Judicial Language***

Our analysis leads us now to consider whether any aspect of the metaphoric or metonymic language observed above in political, media and poetic sources may be discerned in legal judgments and opinion. Although there insufficient space here to engage in a full review of relevant case-law, there also is no reason to exclude it altogether from our analysis, given the importance in England and Wales of the judgments of the Supreme Court and Court of Appeal as binding authorities. It should be acknowledged here that the often scrupulously careful nature of formal judicial opinion writing, at least when compared to the necessary much more febrile atmosphere in which political discourse generally takes place, circumscribes opportunities to observe nakedly figurative expression. There are nonetheless clues in the texts of legal judgments that the metaphor of the mobile virus can assist in the framing of legal evaluations of human behaviour in times of crisis – clues as to which are, again, found by identifying the metonymic characteristics of the virus that appear in descriptions of discreditable human activity and behaviour.

Consider the Court of Appeal judgment of *Anderson v Basildon District Council* [2021] EWCA Civ 363, a case concerning a local authority's ineffective attempts to control and constrain the movements of a population of gypsy travellers (the appellants) during the pandemic. The appellants submitted that they were prevented by the Covid Regulations' prohibition on movement from complying with orders from the district council and the High Court that they should leave an area of Green Belt land that they had unlawfully occupied

and started to develop for their own habitation. Dismissing their submission as “just another strategy for staying on the land for as long as possible” [28], Peter Jackson LJ observed that the appellants were guilty of multiple breaches of Council and High Court orders. These breaches were “deliberate and flagrant” [8], “brazen” [29], a “complete failure to comply” that effectively constituted “two fingers up to the court” [11], and accompanied by threats to “kick [Basildon councillors who visited the site to deliver orders to stop] between the legs” [4] and to drive a bulldozer at the homes of neighbours who sought to interfere [5]. These factors alone would surely have been sufficient to determine the outcome of the case without further aggravation. However, in framing the full seriousness of the appellants’ transgressions, the Court’s judgment also emphasizes two further aspects of the appellants’ behaviour. These in combination are instructive for our investigation into the appearance of a particular strain of the metaphor of movement in evaluative language during the pandemic.

The first of these aspects was the alarmingly rapid proliferation of bodies and activity on land that was ostensibly protected from any such development, and that threatened “to outrun any attempt by the respondent Council to prevent [it]” [9]. The judgment describes how, on Saturday 28<sup>th</sup> November 2020, there were reported to be “between 80 and 100 people working on the Land, with diggers and several large trucks in operation and numerous vehicles driving on and off the Land” [4]; then by the following evening, after the first High Court order to cease activity there appeared “a large static mobile home and one or more smaller caravans on the land” [5]; by 8<sup>th</sup> December (the day the Court heard an appeal against a second court order) more growth still: “eighteen touring caravans, one static caravan, three mobile homes, two portacabins, one wooden shed, and seventeen motor vehicles” [7]; at each stage continuing with “further works and ... more dwellings and vehicles [brought] onto the land” [7] and those working [having] come ‘from all over the place’” [4].

The second relevant aspect is the disregard with which the appellants treated planning laws, regulations and enforcement efforts. Peter Jackson LJ's judgment refers pointedly to the appellants' occupation in terms of their apparent imperviousness to any such measures, and the danger that, without imposing the threat of the only legal sanctions that actually bring about the physical cessation of the appellants' liberty (namely imprisonment), any orders would be simply irrelevant and have no impact on their movements: "The [Covid] Regulations were in force when they moved onto the land, but they moved anyhow. The Regulations did not require the Appellants to continue to develop the land in breach of the court order (indeed they probably prohibited it), but they did it anyhow" [28].

The clashing images of rapid and hitherto unstoppable building works (and accompanying metonymies of dirt, noise, crowds, pollution, etc.) and 'Green Belt' land on the other (with its converse metonymies of clean air, unspoiled natural habitat, restfulness and beauty) further emphasize this sense of a bodily invasion by a foreign agent and the need to prevent it from spreading and taking hold. The expansion of the appellants' numbers, their rapidly deepening impact on the local area and reported physical threats to the health and safety of local people, as well as the challenge to the effectiveness of 'ordinary' measures, all take on a special significance in the shadow of the coronavirus pandemic and the long struggle to find effective means of bringing it under control. To be clear: I do not suggest that Peter Jackson LJ deployed the difficulties of controlling or constraining the spread and the movement of the gypsy traveller occupiers strategically or intentionally as a metaphor for difficulties regarding disease, nor vice versa. Whatever the judge's intentions (about which it would not be useful to speculate) the *normative force* of his framing of the issue itself derives from the fact that relevant elements of the case are also familiar to us as metonymic components of the movement of Covid-19 as it spreads: its disregard for boundaries as it circulates from place to place, and from body to body. The descriptive content of the

judgment thereby also implicitly invokes a normative framework, drawing on shared experiences of the coronavirus pandemic observed above in relation to poetic, political and media discourses. Following this reasoning, we can well understand the Court's treatment of the appellants' reliance on concerns about public health and the Covid Regulations as untenable to the point of irony [22, 28].

## **Conclusion**

There are myriad possible ways in which experiences of the global pandemic may have given rise to new metaphors and new ways to frame normative conceptual thinking, which go well beyond the scope of this article. We hope however to have advanced debate on this in at least three useful ways: first, by refocusing attention away from metaphors *for* Covid-19 to semantic traffic going in the opposite direction and thereby exploiting an opportunity to reflect on how experience of the pandemic informs wider concerns; second, by showing that, for the most part, the metaphor of the spreading virus asserts itself other than by a direct or straightforward transfer or substitution of one term for another, and that we must look instead to its metonymic elements, the appearance of which can be more subtle and require careful reading of sources; third, by showing that despite its positive figurative association with progressive and reforming agendas in other contexts, movement is here typically associated with negative qualities, and has thus been applied to try to justify coercive and discriminatory public health measures, and more generally as code for unfairness and anti-social (and potentially unlawful) behaviour.

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