

BEYOND LITERAL UNDERSTANDING: “WOMB THEFT” AS METONYM – AN INTERPRETATION OF THE LANGUAGE USED TO DESCRIBE CAESAREAN KIDNAPPINGS*

Maureen Mswela

LLB LLM LLD

*Senior Lecturer, Department of Jurisprudence
University of South Africa (UNISA)*

SUMMARY

The author's attention has, in recent years, been drawn to an article with the headline, "Womb theft accused testifies", and to another titled "Sentence reduced for attempted womb theft". Both articles referred to "womb theft" as the appropriation of a fetus from an expectant woman by a female perpetrator who fakes a pregnancy, and then brutally kills the pregnant woman in order to appropriate the unborn child to keep as her own. Such criminals literally slash open an expectant woman's womb to reach for the fetus in what can be described as a bizarre replication of a Caesarean section procedure. The author was not entirely clear on what writers meant by "womb theft", which, defined literally, indicates that the object of theft is the womb/uterus and not a fetus/newborn. If a womb in its literal sense qualifies to be an object of theft, a writer could surely foresee the confusion that would follow headlines such as "Sentence reduced for attempted womb theft" or "Womb theft accused testifies." The failure to do so exposes a conceptual skew in the discursive construction of the nature of the crime. There has been little research into problems in the language used to describe Caesarean kidnappings from the standpoint of those interested in improving legal language construction. Perhaps a special category of figurative language is required to explain how "womb theft" is used and understood here. The author pursues this task through metonymic analysis, a method that has found little application in legal theory in the South African context. The author argues that figurative expressions are repeatedly used without critical reflection, thereby confusing the recipient and obscuring communication rather than enlightening it. The author does not argue that the use of metonym in legal contexts should be eradicated since, in some instances, they enhance the understanding of legal concepts; instead, legal scholars must see through figurative language, and develop critical dialogue on the stylistic use of metonym and in so doing, master the art of legal communication.

* This work was supported by funding from a research grant from CRIC.

1 INTRODUCTION

Headlines typically lure readers to purchase a newspaper using an interesting headline. However, after reading a piece that caught their attention, readers sometimes realise that it was not what they expected. In a number of instances, the author has bought a newspaper or a book because of an exciting title, only to find out that her anticipation was deluded as the newspaper or book did not convey what was hoped for. Misleading titles are therefore nothing new.

In recent years, the author’s attention was drawn to article headlines that read, “Womb theft accused testifies”¹ and “Sentence reduced for attempted womb theft”.² Given that uterine/womb transplants have become useful in the treatment of infertility, and that uteri are in contemporary times believed to be objects of theft to satisfy the commercial market for the treatment of infertility,³ a reader could have assumed that the articles would concern a subject of this nature but that was not the case in either of the mentioned articles. Having a background in medical law, the author would also have anticipated a discussion on secret hysterectomies performed by doctors on female patients – for example, in Uzbekistan.⁴ Conversely, it turned out that “womb theft” referred to the crime of appropriation of a fetus from a pregnant woman – commonly known as Caesarean kidnappings.⁵ Both articles referred to “womb theft” as the phenomenon of appropriation of a fetus from an expectant woman by a female perpetrator who fakes a pregnancy, and then kills the pregnant woman in order to appropriate the unborn child to keep as her own. The criminal slashes open the expectant woman’s womb to reach for the fetus in what can be described as a bizarre replication of a Caesarean section procedure.⁶ This is performed without any access to professional medical assistance.⁷ In all reported cases, the perpetrators are females who, in most cases, are infatuated with having a baby.⁸ Before

¹ Independent Online “Womb Theft Accused Testifies” <https://www.iol.co.za/news/womb-theft-accused-testifies-1742872> (accessed 2018-11-05).

² UPI Top News “Sentence Reduced for Attempted Womb Theft” (20 September 2012) <http://www.upi.com/Sentence-reduced-for-attempted-womb-theft/6111348169364/> (accessed 2018-11-05).

³ Favre-Inhofer “Uterine Transplantation: Review in Human Research” 2018 47(6) *Journal of Gynecology Obstetrics and Human Reproduction* 213 213–221.

⁴ Antelava “Forced Sterilization of Women in Uzbekistan” (2013-12-01) *Police Report* 1–40; Antelava “Uzbekistan’s Policy of Secretly Sterilising Women” (12 April 2012) <https://www.bbc.com/news/magazine-17612550> (accessed 2018-07-19).

⁵ A literature search indicates that this contemporary practice is a globally rare crime but with precedent. The highest number of cases has been reported in the United States of America dating back from 1974, while in South Africa this type of crime is statistically unusual, but with precedent.

⁶ Gerberth “Fetal Kidnapping: The Extraction of a Fetus from a Pregnant Woman” 2015 29(5) *PIMagazine* 42.

⁷ Gerberth 2015 *PIMagazine* 42. During the attack, sharp objects, including scissors, hatchets, razors, knives and car keys are reportedly used to create incisions in order to harvest the unborn.

⁸ Estephie “Caesarean Kidnappings (Fetal Abduction): A Checklist” (28 April 2012) <http://unknownmisandry.blogspot.co.uk/2012/04/cesarean-kidnappings-checklist.html> (accessed 2018-08-18).

abducting a baby from an expectant woman, a great number of the perpetrators make an effort to prove a claim of pregnancy.⁹

It is still not entirely clear what the writers of the articles meant by “womb theft.” Defined literally, “womb theft” depicts that the object of theft is the womb or uterus, and not a fetus or newborn.¹⁰ If a womb in its literal sense qualifies to be an object of theft, the writers could surely have foreseen the confusion that would follow a headline such as “Sentence reduced for attempted womb theft” or “Womb theft accused testifies”.

Why then did the writers use the expression “womb theft” in referring to the criminal appropriation of a “fetus” from a pregnant woman through a crude Caesarean section? This exposes a conceptual skew in the discursive construction of the nature of this crime. There has been little research problematising the language used to describe Caesarean kidnappings from the standpoint of those interested in improving legal language construction. Perhaps there is a special category of figurative language that offers a unique explanation of how “womb theft” is used and should be understood here. The author pursues this task through metonymic analysis, a method that has found little application in legal theory in the South African context. There is an argument that might be explored in this context that demonstrates that the use of “womb theft” denotes a metonym. It is argued that figurative expressions are repeatedly used without much critical reflection, thereby confusing the recipient and obscuring communication, rather than enlightening it.

This article has five parts, the first part being the introduction as set above. In the second part, Frede’s theory of compositionality is discussed in order to lay a theoretical foundation for identifying the meaning of a word in isolation of the sentence or context. The third and fourth parts comprise the main contribution of this study – a presentation and discussion of pragmatic metonymic identification in the third part, followed in the fourth part by an analysis of the metonymic figure of speech involving the womb as the figure of analysis. Occasional but unsystematic examples of metonyms existing in English are also discussed to reinforce examples. The fifth part concludes the study by submitting that the use of metonym in legal contexts should not be eradicated since, in some instances, the added complexity enriches the understanding of legal concepts. Legal scholars must see through figurative language, and develop critical dialogue on the stylistic use of metonym to enhance the art of legal communication, thereby encouraging insights and inviting readers to view a subject from a new angle by prompting second thoughts.

⁹ Aquette *Fetal Attraction: A Descriptive Study of Patterns in Fetal Abductions* (Masters Dissertation, Regis University) 2012 8, 32.

¹⁰ The legal question that this position raises is whether a womb/uterus is property capable of being stolen. The issue of proprietary rights in human biological material is therefore inevitable in the course of this article.

2 THE LITERAL MEANING OF “WOMB THEFT”

The traditional view on literal meaning involves taking words to have their usual or most basic sense. Frege’s theory of compositionality states that a huge number of sentences of ordinary language may be understood by a competent speaker or hearer without any knowledge of the author of the sentence, where it was said, at what time or the reasons that it was said.¹¹ That is to say, the interpretation of a sentence or text is an autonomous process that has no need of knowledge of its extralinguistic context.¹² This explanation is partly embodied in Katz and Fodor’s semantic theory, which stipulates that an ideal speaker of a language would know the meaning of an expression or sentence without any information about its context.¹³ In other words, the meaning of a sentence is its interpretation in a “null context,” such as the anonymous letter situation. In Katz’s words:

“The anonymous letter situation is the case where an ideal speaker of a language receives an anonymous letter containing just one sentence of that language, with no clue about the motive, circumstance of transmission, or any other factor relevant to understanding the sentence on the basis of its context of utterance.”¹⁴

All sentences or expressions have literal meanings that are exclusively determined by the meanings of their component words.¹⁵ The literal meaning of an expression or sentence determines certain circumstances, which, if satisfied, will make the sentence an objective or true statement. Certain expressions may have more than one literal meaning – for example, ambiguous sentences where an expression may be capable of being interpreted in more than one literal way.¹⁶ The literal meaning of an expression should be sharply distinguished from cases where an utterance may depart from the literal sentence through the use of devices such as metaphor, irony or idiom.

“Womb theft”, if defined literally, depicts that the object of theft is the womb, thereby skewing our understanding of Caesarean kidnappings since the object of theft or appropriation in Caesarean kidnappings is in fact a fetus.¹⁷

A study of the anatomy of the female reproductive system shows that the womb, also known as the uterus, is “the organ in the body of a woman or

¹¹ Janseen “Frege Contextually and Compositionality” 2001 10 *Journal of Logic, Language, and Information* 116 117.

¹² Janseen 2001 *Journal of Logic, Language, and Information* 116 117.

¹³ Katz *Propositional Structure and Illocutionary Force: A Study of the Contribution of Sentence Meaning to Speech Acts* (1980) 14.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Although not the focus of discussion in this article, at this level of interpretation, we are presented with a legal question as to whether body organs – including, in this case, the womb – are an object of theft, and particularly whether organs of the human body are the subject of property rights.

other female mammal in which a baby develops before birth”.¹⁸ The literal interpretation of “womb theft”, as explained above, provides us with an objectivist account of understanding what the object of appropriation is – the womb, and not the fetus. However, it may well be conceivable to lay down some practical assumptions against which readers might understand and apply the literal meaning of “womb theft”.

On closer scrutiny, what comes to mind are the politics of the womb – in particular, the ruthless and flourishing practice of the seizure of uteri. Secret hysterectomies performed by doctors on female patients, for example in Uzbekistan, are a fine example of what can be termed “womb theft”. In 2002, a BBC investigation exposed a massive government programme that mandated doctors to sterilise women in Uzbekistan without their knowledge or consent.¹⁹ Doctors are reported to have made off with uteri during consultations while, in some cases, tying the necessary tubes instead, after coercing pregnant women to give birth by way of Caesarean section.²⁰

At another level of interpretation, surgical techniques through uterine transplantation have become useful in the treatment of infertility, especially in communities where the surrogate mother concept is unacceptable.²¹ Through successful womb transplants, scientists have brought new hope to women unable to have children.²² Uteri have become objects of theft to satisfy the commercial market for the treatment of infertility.²³ Transplantation medicine has an impact on the way we experience ourselves as personified subjects.²⁴ Human bodies become aggregates of replaceable and exploitable parts, and potential assets for others to crave.²⁵ These organs are transformed into commodifiable “objects of desire”.²⁶

The question whether a human uterus is property that is capable of being stolen is considered next. This position raises two main questions: whether a uterus can be stolen – that is, whether a uterus is classifiable as property for the purposes of law; and, if so, who is deprived of the enjoyment of property.

¹⁸ Cambridge Dictionary “Meaning of Womb in English” <https://dictionary.cambridge.org/dictionary/english/womb> (accessed 2018-0719).

¹⁹ Antelava <https://www.bbc.com/news/magazine-17612550>.

²⁰ *Ibid.*

²¹ Favre-Inhofer 2018 *Journal of Gynecology Obstetrics and Human Reproduction* 213–221.

²² *Ibid.*

²³ Pearl “Why Uterus Transplants Are a Bad Idea for Women” <https://aeon.co/ideas/why-uterus-transplants-are-a-bad-idea-for-women> (accessed 2019-05-17).

²⁴ Zwart “Transplantation Medicine, Organ-Theft Cinema and Bodily Integrity” 2016 9 *Subjectivity* 151.

²⁵ *Ibid.*

²⁶ *Ibid.*

2 1 Can a womb be classified as an object of theft?

The investigation into whether the human body is property involves complex and philosophical dimensions.²⁷ An understanding of the origin and underlying principle for the “no property” rule is essential to evaluate its current relevance. At common law, the human body and its parts are classified as *res extra commercium* – things outside the commercial sphere.²⁸ Separated bodily materials provide another ambiguous classification, since the law has traditionally considered separated bodily materials as *res nullius* – belonging to no one – until such material is brought under the control of the first person who obtains possession of the separated human tissue.²⁹

The law exhibits an uneasiness in making sense of the human body in the context of ownership and property, as the notion of owning oneself (and one’s tissues) suggests that people are capable of objectifying themselves, and that they are thus predisposed to objectification by others.³⁰ The current legislation refuses to acknowledge property rights in body parts directly.³¹ In particular, the Human Tissue Act³² does not address property rights in human organs directly. Reflecting on the position of property rights in the Human Tissue Act, Slabbert notes:

“Some sort of ‘reading in’ of property rights is through section 18(bb) that addresses the removal of tissue from a living body sanctioned by the use thereof for the purposes designated in section 19.”³³

Section 19 specifies that tissue that has been detached from the body must be used for transplantation thereof in the body of another living person or for the production of a therapeutic, diagnostic or prophylactic.³⁴ Legislation acknowledges property rights in human organs for gift purposes but rejects these rights for commercial purposes.³⁵ The Human Tissue Act³⁶ prohibits ownership of human organs from an individual based on a theoretical belief that the human body surpasses ownership.³⁷ The National Health Act³⁸ similarly does not speak of ownership in human organs directly.³⁹ Since such

²⁷ Mohamed, Nöthling-Slabbert and Pepper “The Legal Position on the Classification of Human Tissue in South Africa: Can Tissues Be Owned?” 2013 6(1) *SAJBL* 16.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ Slabbert “‘This is My Kidney, I Can Do What I Want With It’ – Property Rights and Ownership of Human Organs” 2009 30(3) *Obiter* 510.

³² 65 of 1983.

³³ Slabbert 2009 *Obiter* 510.

³⁴ S 19 of 65 of 1983; and Slabbert 2009 *Obiter* 510.

³⁵ Slabbert 2009 *Obiter* 511.

³⁶ 65 of 1983.

³⁷ Slabbert 2009 *Obiter* 511.

³⁸ 61 of 2003.

³⁹ Slabbert 2009 *Obiter* 510.

rights are not available to a person, the human body cannot be regarded as property.

On such a matter, South African jurisprudence may be influenced by legal reasoning in another similar jurisdiction, or at least one whose history may be observed as being closely linked. In this light, English law can be instructive. In the case of human remains that are the subject of work and skill, it has been argued that where a person has lawfully exercised some work or skill on a human body, or a part of a human body, that is in his or her lawful possession and that has attained some characteristics distinguishing it from an ordinary corpse pending burial, such a person obtains a right to maintain possession of the body or body parts.⁴⁰ Although possession is not ownership, limited rights of possession may nevertheless possibly be had in a corpse or in body parts and such rights may be enforceable against third parties.⁴¹ Where such rights are available to a researcher, a corpse may well be regarded as property. This view is supported by the decision in *Doodeward v Spence*, where the court noted that when combined, the work performed in preserving the fetus, and the pecuniary value acquired, ensured that the body was regarded as property.⁴² This principle has been applied in England in the matter of *R v Kelly*,⁴³ in which the Court of Appeal found that various body parts that had been dismembered, conserved and put on display for the purpose of teaching, had attained sufficient characteristics to be considered as “property” under the Theft Act.⁴⁴ In coming to this conclusion, the judge was clear that the common “no property rule” remains “good law” that could only be reformed by Parliament.

2.2 Linguistic constraints of literal meaning

The analysis above aims to show how linguistic structures may constrain the expression and intention of speakers and may call for more information than that conveyed in explicit articulation. The literal meaning of “womb theft” does not apply clearly to the crime under discussion (Caesarean kidnappings), unless perhaps with some further assumptions. “Womb theft” in its literal sense hinders our understanding of Caesarean kidnappings. “Womb theft” in the literal sense is a different crime altogether as the object of theft is the womb and not the fetus.

At this level of text analysis, it is clear that the excerpts from the headline are deceptive and do not accurately portray the context of both articles. In a self-absorbed world in which most people scan headlines in search of what interests them, a layperson may interpret the expression “womb theft” in the ordinary sense and miss the real message.

⁴⁰ Mohamed *et al* 2013 *SAJBL* 19; and Slabbert 2009 *Obiter* 510.

⁴¹ *Doodeward v Spence* [1908] 6 CLR 906.

⁴² *Doodeward v Spence supra* 414.

⁴³ *R v Kelly* [1998] 3 All ER 741.

⁴⁴ *R v Kelly supra* 632. Also see Theft Act 1968.

3 METONYMY IN LEGAL DISCOURSE

Why then did the writers use the expression "womb theft" in referring to the crime of appropriation of a newborn from a pregnant woman through Caesarean section? Perhaps a special category of figurative language is required to explain how "womb theft" is used and understood. It is arguable that the use of womb denotes a metonym.

Legal discourse as a field has been studied by several linguists and legal experts.⁴⁵ Until recently, the figurative nature of legal register, and its great potential, has been entirely overlooked by linguists.⁴⁶ Although legal experts realised the significance and influence of metonymy years ago, linguists have been slow to follow.⁴⁷ The last couple of decades have seen a broad contribution by cognitive sciences to almost all areas of research and work.⁴⁸ In their groundbreaking work in cognitive semantics, George Lakoff, Mark Johnson and Steven Winters, as well as several other authors who build on their work, highlight that cognitive linguistics may contribute meaningfully to the study of law, and to the development of legal systems.⁴⁹

In their work on cognitive semantics, George Lakoff and Mark Johnson assess metonymy as linguistic beautification, selected freely to add emphasis to language and therefore peripheral to core meaning.⁵⁰ They argue that our perception of reality is mediated through our conceptual system, and conceptual systems consist of metonyms.⁵¹ We can barely communicate, let alone describe or even comprehend our existence or the world around us, without representative expressions.⁵²

A typical definition for metonym states that "A stands for B with which A is closely associated."⁵³ The relatively popular definition of conceptual metonymy derived from Lakoff states that metonymy involves "using one entity to refer to another that is related to it."⁵⁴ Another widespread definition of metonymy in cognitive linguistics states:

"Metonymy is a cognitive process in which one conceptual entity, the vehicle, provides mental access to another conceptual entity, the target, within the same domain, or idealized cognitive model (ICM)."⁵⁵

The appeal of the aforementioned definition lies in its unitary character, and in the clear way in which it appears to differentiate between metonymy and

⁴⁵ Imamović "Metaphor and Metonymy in Legal Texts" 2013 14 *Jezikoslovlje* 295 295.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ Lakoff and Johnson *Metaphors We Live By* (1980) 3.

⁵¹ Lakoff and Johnson *Metaphors We Live By* 36.

⁵² Ebberson "Law, Power and Language: Beware of Metaphors" 1999 *Scandinavian Studies in Law* 260.

⁵³ Panther and Radden *Metonym in Language and Thought* (1984) 91.

⁵⁴ Lakoff and Johnson *Metaphors We Live By* 35.

⁵⁵ Kövecses and Radden "Metonymy: Developing a Cognitive Linguistic View" 1998 9(1) *Cognitive Linguistics* 39.

metaphor in that metonymy is a shift within one domain while metaphor is a shift across domains.⁵⁶

In metonymic processes, the mapping of two entities is recognised within a single conceptual domain.⁵⁷ This is to say that the name of one entity is used to refer to another entity that is contiguous to it.⁵⁸ Therefore, metonymy can be considered as having a reference function.⁵⁹ The source domain is associated with the target domain by imposing a perspective on it.⁶⁰ Differently stated, the domain source is not a substitution for the target but it simply activates the target domain from a given perspective.⁶¹ When applied to inferencing, this means that both domains contribute to the overall contextual meaning of a statement or utterance.⁶²

Metonymy is centered on contiguity, which is actual proximity or association.⁶³ In other words, the substitution of one term with another term depends on a kind of association or relation between the two terms.⁶⁴ Contiguity always constitutes the definitional core of metonymy, but in different forms.⁶⁵ In prototypical classification of conceptual contiguity, it appears innately straightforward to postulate space/spatial or material contiguity as the prototypical core in conceptualisation.⁶⁶ Apart from spatial contiguity and material contiguity, Ding notes that metonymy is also based on time contiguity and causal contiguity.⁶⁷

Two dimensions structure the classification of metonyms.⁶⁸ The first of these dimensions, “strength of contact”, allows us to extend the prototypical core in the direction of containment, contact and adjacency.⁶⁹ The second dimension involves the “boundedness” of one or two of the contiguous entities; it allows us to conceptualise a bounded object as a part of an unbounded one.⁷⁰

⁵⁶ Peirsman and Geerraerts “Metonymy as a Prototypical Category” 2006 17(3) *Cognitive Linguistics* 271.

⁵⁷ Athanasiadou and Lampropoulou “A Conceptual Metonymy Account of Count and Non-Count Nouns: A Study of Modern Greek Nouns from the Domains of Eating and Drinking” 2014 *Major Trends in Theoretical and Applied Linguistics* 234.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ Krišković and Tominac “Metonymy Based on Cultural Background Knowledge and Pragmatic Inferencing: Evidence from Spoken Discourse” 2009 *Fluminensia* 49–72.

⁶¹ *Ibid.*

⁶² *Ibid.*

⁶³ Athanasiadou and Lampropoulou 2014 *Major Trends in Theoretical and Applied Linguistics* 234.

⁶⁴ *Ibid.*

⁶⁵ Peirsman and Geerraerts 2006 *Cognitive Linguistics* 278.

⁶⁶ *Ibid.*

⁶⁷ Ding “Rethinking the Cognitive Study of Metonymy” 2015 5(9) *Theory and Practice in Language Studies* 1837.

⁶⁸ Peirsman and Geerraerts 2006 *Cognitive Linguistics* 278.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

Conceptual metonymy as a significant way of thinking and human cognitive tool infiltrates all facets of language.⁷¹ In the field of cognitive linguistics, preliminary research into metonymy concentrated on matters such as the meaning of metonymy, the classification of metonymy, the relationship between metonymy and metaphor, and the conceptual nature of metonymy.⁷² Contemporary studies on metonymy as a conceptual phenomenon show a diversifying trend⁷³ that includes studies in the context of pragmatics, textual studies in literature, and in-translation research, all of which generate a new field of vision in the research of conceptual metonymy.⁷⁴

A further characteristic of metonyms is that they are not random phenomena or arbitrary occurrences; they are systematic and can be seen in our culture in the following representative examples where:⁷⁵

- the whole represents a part and a part represents the whole;⁷⁶
- a container represents the contained;⁷⁷
- the location is used for the located;⁷⁸
- a cause represents the effect;⁷⁹
- an author represents the book;⁸⁰
- the sign represents the signified;⁸¹
- the producer signifies the product;⁸² and
- an object is used to refer to the user.⁸³

The aforementioned concepts can be classified systematically in interrelated groups.⁸⁴

In a prototypical classification, individual examples can be associated with more than one type of metonymic concept at the same time.⁸⁵ This characteristic, which may be called "multiple motivation", applies to many of the representative examples of metonymies cited above.⁸⁶ The theory of

⁷¹ Gibbs "Figurative Thought and Figurative Language" 1994 *Handbook of Psycholinguistics* 411–446.

⁷² Ding 2015 *Theory and Practice in Language Studies* 1837.

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ Athanasiadou and Lampropoulou 2014 *Major Trends in Theoretical and Applied Linguistics* 240. Also see Lakoff and Johnson *Metaphors We Live By* 38.

⁷⁶ Panther and Radden *Metonym in Language and Thought* 103.

⁷⁷ Changing Minds.org "Metonymy" http://changingminds.org/techniques/language/figures_speech/metonymy.htm (accessed 2019-07-19).

⁷⁸ Peirsman and Geerraerts 2006 *Cognitive Linguistics* 278.

⁷⁹ Changing Minds.org http://changingminds.org/techniques/language/figures_speech/metonymy.htm

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² Fass "A Method for Discriminating Metonymy and Metaphor by Computer" 1991 17(1) *Computational Linguistics* 56.

⁸³ *Ibid.*

⁸⁴ Peirsman and Geerraerts 2006 *Cognitive Linguistics* 279.

⁸⁵ Peirsman and Geerraerts 2006 *Cognitive Linguistics* 286.

⁸⁶ *Ibid.*

prototype is not limited to the use of one of the listed metonymic concepts; it permits solid examples to have multiple motivations.⁸⁷

4 “WOMB THEFT” AS METONYM: CONTAINER FOR CONTENTS

The article now demonstrates that, in discussions on Caesarean kidnappings, reference to “womb” denotes a metonymic source domain in substitution of the “fetus”, which is the metonymic target domain.

“Womb” corresponds straightforwardly to the “container for contents” category, giving access to the fetus through the container-contents metonym, also known as the containment ICM metonymy. In the containment ICM, importance is given to the notion of a container that functions as the vehicle through which we mentally access the respective substance, which is the target.⁸⁸ As a rule, we are more interested in the contents of a container than in the container; for this reason, metonyms that target the contents via the container are commonly found.⁸⁹

A typical example of the container-contents subtype is seen in the relation between a kettle and the water inside it.⁹⁰ The container-content type is the second major type of spatial metonymy.⁹¹ The transfer of meaning usually flows from the container to its contents.⁹² This type is different from the whole-part type because the container reference does not refer to the container-plus-the-contents, but only to the contents.⁹³ For example, if one says that “the dam has dried up”, the “dam” refers in fact to the water inside the dam.

The reason that we keep the container-contents type separate, not only from the whole-part type but also from other types of metonymy, is that this type, penetrates deeply within a language, and extends widely over languages, a fact that points to the cognitive importance of the category.

To say that “the kettle is boiling”⁹⁴ is a typical instance of a referring function that permits the name of the container to refer to the contents of the container.⁹⁵ The meaning of this sentence is not that the kettle, as such, is boiling but that the water in the kettle is boiling.⁹⁶

There are many examples of this metonymic type, from the most prototypical down to the marginal. Further typical examples include, “He drank

⁸⁷ *Ibid.*

⁸⁸ Athanasiadou and Lampropoulou 2014 *Major Trends in Theoretical and Applied Linguistics* 240.

⁸⁹ Panther and Radden *Metonymy in Language and Thought* 41.

⁹⁰ Panther and Radden *Metonymy in Language and Thought* 103.

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ Tylor *Linguistic Categorization* (2003) 7. Also see Carrion, Barcelona, Pannain *Conceptual Metonymy: Methodological, Theoretical and Descriptive Issues* (2018) 138.

⁹⁶ Tylor *Linguistic Categorization* 7.

three bottles”⁹⁷ and “Dave drank the glasses”, where “glasses” are the containers.

There is a relationship here between a “container” (a glass) and its typical “contents” (a liquid): this relationship is the metonymic concept of a container being substituted for its contents.

The entities below are less prototypical as containers but they show the same transfer pattern of reference:

- a) “She (re)arranged the *bookshelf/closet*.”
- b) The *cistern* is running over.
- c) The *lecture hall* burst in laughter.”⁹⁸

The same metonymic mapping is observed where “womb” can receive inflection from the “container for contained” category. In the female body, the womb contains the fetus and in the author’s view, “womb” is here the container, which stands as foregrounded, while the contained (the fetus) is being backgrounded. The uterus, or womb, is a hollow, pear-shaped organ in a woman’s lower stomach between the bladder and the rectum. It sheds its lining each month during menstruation.⁹⁹ A fertilised egg (ovum) becomes implanted in the uterus, and the fetus develops.¹⁰⁰ There is therefore a strong linguistic motivation to use the “container for contained” category as the womb contains the fetus.

The precise relation between container and contained seems to be a continuum that can be described in terms of “strength of contact”.¹⁰¹ In the case of containment, however, this relation is a little looser: mostly the contents can easily be removed from their container.¹⁰² It is thus “strength of contact” that determines the place of a particular metonymy on the continuum.¹⁰³

Metonymic analysis offers a means to excavate hidden claims and conceptual frameworks that work alongside explicit messages.¹⁰⁴ Conceptual metonymic identification – the approach followed above – proceeds from a view of metonymic imagery far removed from a layperson’s sense that it enhances meaning, showing that metonyms can be “generative”, creating novel meaning by defining problems in a certain way and in so doing framing how they are perceived and addressed.

⁹⁷ Panther and Radden *Metonym in Language and Thought* 103.

⁹⁸ *Ibid.*

⁹⁹ Stanford “Anatomy: Fetus in Utero” <https://www.stanfordchildrens.org/en/topic/default?id=anatomy-fetus-in-utero-85-P01189> (accessed 2020-01-19).

¹⁰⁰ Stanford <https://www.stanfordchildrens.org/en/topic/default?id=anatomy-fetus-in-utero-85-P01189>.

¹⁰¹ Peirsman and Geerraerts 2006 *Cognitive Linguistics* 281.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Lakoff and Johnson *Metaphors We Live By* 3–6.

It is now fairly proven in cognitive science and linguistics that metonyms are a vital instrument used to organise thought.¹⁰⁵ It is human nature to use metonyms when attempting to understand new concepts.¹⁰⁶ However, metonyms may also selectively guide, or misguide, our cognitive processes.¹⁰⁷ By emphasising one aspect of a concept, a metonym may blind us to other aspects that are inconsistent with the metonym.¹⁰⁸ Conceptual metonymic analysis allows us to see multiple messages in a text, with one meaning being presented in explicit terms while another meaning is conveyed simultaneously through conceptual metonym.

5 CONCLUSION

It is clear from this article that public discourse on crime can be packed with metonyms and that there is a need for critical thinking as metonym shapes our thoughts in ways we might have not realised. The contribution highlights how an uncritical approach to content analysis contributes towards a collapse in the writer's intentions.

In this article, the literal and metonymic meanings of "womb theft" have been analysed. The author concludes that preferring the literal interpretation fails to expose the writer's intention and thoughts in the article titled "Sentence reduced for attempted womb theft". This analysis has revealed that a literal interpretation of "womb theft" delivers meaning that is distant from what the writer intended to convey. Through the use of metonymic analysis, decoding fragments of linguistics, this enquiry has discovered the language conveyor's intention or conceptual meaning when referring to "womb theft". By scrutinising the concept "womb theft" within an imaginary framework, it has been understood that some metonyms are employed not only to describe a crime but also to reflect and epitomise a certain societal or cultural matter.

This contribution aims to stimulate critical thinking and interpretation of concepts among legal scholars with the hope of cultivating the capacity to understand an underlying meaning.

¹⁰⁵ Gore "Judicial Use of Metaphors for New Technologies" 2003 2 *Journal of Law, Technology & Policy* 403.

¹⁰⁶ Gore 2003 *Journal of Law, Technology & Policy* 403.

¹⁰⁷ *Ibid.*

¹⁰⁸ Gore 2003 *Journal of Law, Technology & Policy* 403.