

Per il ciclo di incontri “IGSG Dialogues”

Probabilistic Legal Interpretation

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Dialogo e confronto con Domenico Siciliano, Dr. jur. (Frankfurt am Main)
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Venerdì 28 novembre 2025, ore 11:00

Istituto di Informatica Giuridica e Sistemi Giudiziari del CNR (IGSG) – Aula Frosini

Via de' Barucci 20 – Firenze

La partecipazione è libera, ma è obbligatorio registrarsi scrivendo a: segreteriaeventi.igsg@cnr.it

Abstract: Legal rules are written in words, but experts often disagree about their meaning. A whole discipline in law focuses on legal interpretation. This seminar will introduce Dr Janeček’s current research project on what he calls ‘probabilistic legal interpretation’. This project looks at a new way to interpret statutory and judicial pronouncements using statistical analysis of legal language: the probabilistic legal interpretation. Unlike accepted and established methods of legal interpretation (e.g., literal interpretation, purposive interpretation, historical interpretation, etc.) this approach leverages large language models (LLMs), which are already popular in legal practice. The aim of the project is to develop a theory of probabilistic legal interpretation to clarify when Large Language Model (LLM) tools should and should not be used in understanding what the law is. In his talk, Dr Janeček will set out the motivations for this project and put forward a thought experiment in which an AI agent is used to carry out some legal research. Dr Janeček will explore how best to understand what such an AI agent does when it “interprets” legal data to produce some output. In other words, he will explore how best to interpret (in the computer science sense of interpretability) the supposed legal interpretation of the algorithmically processed black-letter law. The talk will focus on generative AI systems. Dr Janeček will explain their relevant technical features and argue that because we cannot open the “black box”, we cannot plausibly explain the AI system’s agency as being based on “legal interpretation” in a traditional (jurisprudential) sense.

That said, Dr Janeček will suggest that it is plausible to argue (and possible to verify) that such a system is capable of engaging with legal data at a different level by way of “probabilistic legal interpretation”. The talk will explain the key features of this new method of legal interpretation, also in comparison with Chain of thought reasoning (CoT) approaches to our understanding of LLM-enabled legal interpretation, and discuss how we can leverage this new method in legal practice, even beyond AI agents.

Biografia: Václav Janeček is the Leverhulme International Fellow (2025-26) at the Institute of Legal Informatics and Judicial Studies (IGSG-CNR, Florence), working on a theory of probabilistic legal interpretation to see how statistical features of language can help us shed light on the meaning of statutory and judicial pronouncements. He arrived at the IGSG-CNR from the University of Bristol Law School, where he is a Programme Director of the LLM in Law, Innovation & Technology and a Chair of the LawTech Industry Board (currently on research leave). Václav is also an Associate Member of Oxford’s Department of Computer Science and co-directs the Oxford LawTech Education Programme. In the past, Václav held principal research appointments at the Oxford Law Faculty, the Oxford Internet Institute’s Digital Ethics Lab, and the Masaryk University’s Institute for Law and Technology.

Lettura consigliata

Grimmelmann, James and Sobel, Benjamin and Stein, David, *Generative Misinterpretation* (June 18, 2025) in Harvard Journal on Legislation, Vol. 63.1 (forthcoming), University of Wisconsin Legal Studies Research Paper No. 1878, Vanderbilt Law Research Paper No. 5309575, Cornell Legal Studies Research Paper 25-19.

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