SUMMARY

In this book the extent to which legal administrative decisions can be gene-
rated and judged by machines is explored. An actual machine that recon-
structs more than 400 probation decisions has been built. This machine also
gives indications about the legal quality of the decisions that were given by
the secretary of justice.

A fundamental problem to be encountered while trying to build legal
knowledge systems relates to the flexibility of legal knowledge. Static theo-
ries may be translated to formal systems and can sometimes be realized on
computers. Legal knowledge is essentially not static. In this train of thought
it is necessary to find a static theory (that may be translated to a computer
program) that describes the growth of legal knowledge.

A.D. de Groot has formulated such a theory for the growth of empirical
knowledge. Whith regard to his methodological notions I have found some
striking analogies in prominent concepts of dutch administrative law. These
concepts can be translated to a chain of formal systems that can change
each other in a controlled way. I call such a chain of programs (that can be
written in Prolog) an informal system, because relevant questions of consis-
tency cannot be anwered in a formal way.

The knowledge system built in accordance with these notions was able to
point out several legally unsound decisions over a period in which the dutch
legal concept of probation changed.

A.H.J. Schmidt

PALLAS EX MACHINA

Informele systemen in verband met het recht

In dit boek wordt nagegaan in hoeverre
administratiefrechtelijke besluitvorming van de
overheid kan worden beoordeeld door een automaat.
Een belangrijk probleem bij het maken van juridische
kennis- of expertsystemen is de flexibiliteit van die
kennis.
Het is namelijk niet goed mogelijk om de consistentie
van automatiseringstoepassingen te bewaren
wanneer ze flexibel worden gemaakt.
In dit boek worden de algemene beginselen van
behoorlijk bestuur gebruikt om de ontwikkeling van
een administratiefrechtelijke regeling te sturen. Die
beginselen vertonen een zekere analogie met
normatieve elementen van een zienswijze op
empirische methodologie.