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Version: Accepted Version

Book Section:

Shaw, R. (2024) 'Full of stories': AI, literature, and the law. In: Slocombe, W. and Liveley, G., (eds.) The Routledge Handbook of AI and Literature. Routledge Literature Handbooks. Routledge, pp. 215-223. ISBN: 9781032186948.

<https://doi.org/10.4324/9781003255789>

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‘Full of stories’: AI, literature, and the law

Rebecca Shaw

Abstract

New approaches to understanding the potential intersections between literary criticism and artificial intelligence continue to emerge and evolve, and to be informed by other disciplines. This chapter argues that research in the domain of AI and the law should be included in this interdisciplinary dialogue. AI is already transforming the legal landscape and, as this chapter demonstrates, both the law and significant proportions of the modern legal system are narratively configured, suggesting the potential for salient parallels in AI, literature, and the law. Indeed, the law is ‘full of stories’ (Tait and Norris 2011, 11). It is in this light that this chapter explores some of the narrative configurations in emerging AI models of ‘algorithmic justice’, legal reasoning, and adjudicative decision making. It demonstrates that the ‘frames’, ‘scripts’ and ‘schemata’ in the AI technologies and algorithms increasingly deployed in legal systems of the US, UK, and beyond, share important similarities with the cognitive frames which humans similarly use to help process narrative literature. Accordingly, it asks whether current and emerging AI models of *legal* knowledge, reasoning, and decision making might provide insights into AI models of *literary* knowledge, reading, and literary criticism – and vice versa.

Key Words: Law; Scripts; AI; Algorithmic Justice; Narrative Theory; Algorithmic Criticism

The idea that the law is ‘full of stories’, an arena where dramatic – even life or death – narratives play out, has absorbed the attention of scholars (and indeed the general public) for decades. This is especially true of criminal trials, where stories and narratives abound, and it is the role of lawyers, juries, and judges to process, critique, and assess those narratives. Here, at the heart of a criminal trial (and indeed civil trial too), there is a contest of narratives, where the act of storytelling pervades the entire process. Victims and suspects each tell their story, which is then submitted, in turn, as evidence to be analysed and reshaped into a narrative by prosecution and defence trial lawyers in court. The act of narrating, of reconstructing and retelling of what happened, is thus central to legal proceedings (Brooks 1996, 2002, 2005, 2006; Jackson 1988, 1990). However, looking beyond the oft-cited example of narration in criminal trials, we also find that narrative is central in the making, debating, and passing or repealing of laws according to the perceived best interests of society; in written documents, whether that is an indictment of charges, an appellate judgment, legal commentaries or legal briefs; and in the larger (often unwritten) cultural and historical stories that disseminate and frame legal and other normative expectations. This latter insight can be attributed to a variety of sources (Cover 1983; Friedman 1969; Tait and Norris 2011). Constitutions, laws, and statutes are dependent for their authority upon the cultural ‘narrative’ – made up of values and attitudes – in which they are received (Liveley and Shaw 2020, 260). The law not only constitutes various narratives, but it is also embedded in the cultural narratives that frame it: ‘no set of legal institutions or prescriptions exist apart from the narratives that locate it and give it meaning’ (Cover 1983, 4-5; Olson 2014, 378). Thus, the relationship between narrative and the law goes far beyond courtroom dramatics and on to the construction and development of the entire legal order.

Myths and stories are just as much a part of the legal tradition as its *corpus juris*, and narratives of legal origins can enlighten our understanding of a legal system prior to its legislation or to the courtroom (Shaw 2022, 2). Critical legal studies have also sought to foreground the narrative qualities of the law to critique its hegemonic practices and recognise the juxtaposition of marginalised individuals with dominant legal narratives. Through examination of legal stories, narrative has proved useful in studying the legal construction of identity and the constructions and experiences of race within the law (Delgado 1989; Delgado and Stefancic 1993). In this way, scholars have challenged the law's autonomy as a rational system, the received wisdom of legal reasoning and rule, and forced 'legal practitioners to acknowledge the experiences of the underrepresented' (Olson 2014, 376). Thus, when we give attention to the place of narrative in the law and legal processes, we can see that it is in fact ubiquitous.

If the law is 'full of stories', it is increasingly being recognised that the law is also becoming 'full of AI'. Since the mid-twentieth century, there has been great interest in the application of AI for, and within, the law, and this interest shows no sign in waning (Susskind 2000, 161). The potential afforded by computer and technological advancements that could make the law more manageable, clearer, and accessible is undoubtedly an attractive one. Indeed, there are already a number of applications of these developments in the field of law, whether aimed at practitioners of the law (i.e., lawyers); administrators of the law (such as judges, legislators and police); or those who are governed by the law (including people, businesses and organisations) (Surden 2019, 1328). That artificial intelligence could transform legal services is clear: AI is already able to assist and even take over some time-consuming and

complex tasks traditionally performed by humans (Campbell 2020, 330; Surden 2019, 1329-32). There are even claims that artificial intelligence systems could replace human lawyers in some settings (Campbell 2020, 330). Such tasks and settings are predominantly administrative in character: drafting and checking contracts, researching legal precedents, and the like. However, in this chapter, I explore the increasing intervention of AI into some of the more complex processes pertaining to legal judgements, and argue that the potential for AI to transform the legal landscape is supported by the fact that the law is 'full of stories' (Tait and Norris 2011, 11). It is, I contend, the narrative configuration of significant proportions of the modern legal system that lends itself to 'artificially intelligent' and algorithmic justice (Campbell 2020; Davis 2019; Giufrida et al. 2018; Surden 2014 and 2019; Završnik 2020 and 2021). Accordingly, I ask whether current and emerging AI models of *legal* knowledge, reasoning, and decision making might provide insights into AI models of *literary* knowledge, reading, and literary criticism – and vice versa. As AI models and algorithms are already being deployed to pass judgements on the 'real world' narratives and stories found in the domain of law, might we perhaps look there for cross-disciplinary insights into the operations (and limitations) of AI models and algorithms that might similarly be used for 'judging' literary narratives and fictional story worlds?

The law is full of stories

It has long been acknowledged that, as Tait and Norris insist, the law is 'full of stories' (2011, 11; Fludernik 2014; Geary [2005] 2008; Grunewald 2013). Brooks has particularly highlighted the role of narratives in adversarial trials, focusing on the storytelling dynamics and structures of the adjudicative process, the opening and

closing statements of the prosecution and defence, witness statements, confessions, judicial opinions and victim statements (Brooks 1996; 2002; 2005; 2006). As Brooks puts it (2005, 416):

[L]aw is, in a very important sense, all about competing stories, from those presented at the trial court – elicited from witnesses, rewoven into different plausibilities by prosecution and defence, submitted to the critical judgment of the jury – to their retelling at the appellate level [...] Trial lawyers know that they need to tell stories, that the evidence they present in court must be bound together and unfolded in narrative form.

Indeed, as Brooks discusses elsewhere in his work on 'The Law as Narrative and Rhetoric' (deploying key narratological terms from the Formalist and Structuralist traditions), 'a courtroom lawyer's task would seem to be to take an often fragmentary and confusing *fabula* and turn it into a seamless, convincing *sjuzet*' (1996, 17). Brooks goes on to hint that this is not a 'simple process [...] there are contradictions and incoherencies to be dealt with, alibis and excuses to be found, gaps to be filled' (1996, 17). It is, after all, precisely these gaps, contradictions, and incoherencies in the prosecution and defence narratives that a judge and jury must negotiate in order to reach their verdict and pass judgement upon a case. Once each trial lawyer has 'told' their version of the story of the indictment, the jury must decide which story they find most credible. The side that can offer a *sjuzet* of the indictment that the 'juror accepts as the best explanation of the evidence presented [...] will win the juror's vote in the end' (Grunewald 2013, 376).

Underpinning this process is the trial's 'narrative blueprint' (Goodpaster 1987, 120; Grunewald 2013, 371). Consisting of the rules of evidence, which are crucial to the working of both the adversarial and inquisitorial criminal trial processes, these schemata formalise the way in which legal evidence can be presented and regulate how the story of the indictment can be told. As Brooks puts it (2002, 6):

Against what may often appear as the fragmented, contradictory, murky unfolding of narrative in the trial courtroom stand formulae by which the law attempts to impose form and rule on stories.

These schemata and formulae – the blueprints and rules which the law traditionally uses to structure, organise, and thereby evaluate the competing narratives that find their way into a courtroom – are, I suggest, significant features that help explain how and why the modern legal system lends itself so readily to 'artificially intelligent' and algorithmic processes.

Artificial Intelligence and the Law

Although still at a nascent stage in its development and implementation, the use of artificial intelligence systems is increasingly being incorporated into the administration of the law (Surdén 2019, 1332; Greenstein 2022). In particular, we can see this accelerating in the United States, where the most significant active deployment of AI systems in delivering criminal justice has been seen to date (Malek 2022, 233; Završnik 2020, 573). For example, in the US, which is at the forefront in embracing AI legal tools, there is already widespread use of COMPAS (Correctional Offender Management Profiling for Alternative Sanctions): a decision support

software that uses algorithms to scrutinize character profiles and histories in order to assess the potential risk of criminal recidivism and which accordingly informs bail, sentencing, and parole decisions in the law courts (Malek 2022, 234). COMPAS assesses variables under five main areas – criminal involvement, relationships/lifestyles, personality/attitudes, family, and social exclusion – and ‘it uses a combination of static and dynamic factors in order to assess recidivism’, and thereby provide guidance to judges and court officials (Greenstein 2022; Kehl et al. 2017, 11; Završnik 2020). The use of algorithmic decision-making tools is still in its developmental stage in the UK and other jurisdictions, although legal practitioners, including judges, already make extensive use of legal information retrieval systems and word-search based database systems such as Lexis and Westlaw to assist with updating their knowledge on legal provisions relevant to the case in hand (Susskind 2000, 165; Wasik 2017, 532-533). Lawyers and their teams now also have access to support from upgraded legal software packages with new AI capabilities, such as LexisNexis, Microsoft's 365 Solution for Legal, or RobinAI. Using Large Language Model (LLM) technology, these tools can research and provide responses to a wide range of legal questions, find precedents, produce and query legal documents such as contracts and wills, and draft summary reports on cases and issues. Those without legal training or qualifications can also now use AI tools to help draft their own legal letters and contracts, and even to research and mount their own cases. They also have access to online ‘robot lawyers’ such as DoNotPay, which claim to help fight minor legal cases (such as parking fines) without the need to employ professional legal counsel.

Recently, the use of artificial intelligence technologies in the UK criminal justice system was considered by the House of Lords Justice and Home Affairs Committee in their 2022 report ‘Technology rules? The advent of new technologies in the justice system’. This report considered tools that use algorithms or machine learning technology to apply the law in England and Wales, including technologies used to discover crimes, deter criminal behaviour, and to rehabilitate or punish offenders. In principle, the committee recognised the positive impact that artificial intelligence could have on efficiency, productivity, and problem solving within the justice system – if used appropriately and transparently (House of Lords Justice and Home Affairs Committee 2022). One of the most important potential benefits identified by proponents for the wider use of AI technologies in the justice system is that artificial intelligence systems seem able to ‘vaporize biases and heuristics inherent in human judgment and reasoning’ (Završnik 2021, 637). As machines and algorithms are not humans, in theory, they can minimize human biases and thereby allow for more objective evaluation of legal cases – and could even help judges and juries acknowledge and mitigate their own biases and blind spots (Malek 2022, 235).

De Diego Carreras proposes that the wider use of artificial intelligence and machine tools in criminal justice systems worldwide is particularly desirable for these reasons (2020). Artificial intelligence and machine learning could potentially, therefore, ‘play an invaluable role in ushering in a new era of criminal justice reform’ (De Diego Carreras 2020, 2-3). Like De Diego Carreras, Bagaric et al. similarly argue for the wider use of algorithms in the criminal justice system (2022). One of the key pillars of their argument is that well-designed algorithms are ‘immeasurably superior to the current outcomes achieved through decisions made by courts and other criminal

justice institutions' (2022, 98-99). Bagaric et al. argue that the key to securing greater receptivity and efficacy of algorithms in legal systems is to ensure greater transparency regarding their design and to offer clear explanations of their operation (2022, 147-148). Indeed, in their view, algorithms can be seen as allowing us to detect and resolve existing discriminations in the law, as machine bias can supposedly be more easily 'observed, studied and corrected in ways that human bias cannot' (Bagaric et al. 2022, 98). We cannot expect any algorithmic system 'to reverse centuries of racial injustice or gender inequality' in our criminal justice system (Barabas 2020, 97). The expectation is, however, that as computers are not humans, machines do not have those problems that humans have and thus, in theory, they can minimize human biases and allow for a more objective evaluation which could help judges uncover their own biases (Malek 2022, 235). These 'black box' processes, due to their mechanical appearance, have a 'veneer of objectivity' (Roth 2016, 1269). However, in truth, these processes have hidden subjectivities and errors that can lead to the masking of illegitimate or illegal discrimination behind the technology (Tene and Polotnetsky 2013, 358). Artificial intelligence systems can reinforce bias and discrimination in society, with human fallibility and inherent bias reflected through the data so that biased data in turn then produces biased results (Malek 2022, 235). For instance, the COMPAS AI system has been criticised for its racial bias, particularly in so far as its potential violation of the US Constitution's 14th Amendment which guarantees equal protection under the laws. With the algorithms themselves reflecting racial discrimination and motivated by cognitive biases, the result is disparate treatment of offenders and their risk of recidivism (Thomas and Pontón-Nuñez 2022). This has called into question whether these tools are the best way to reduce biases and maintain the rule of law (Huq 2021; O'Brien 2021).

Schemata and Scripts

At this juncture, it is worth considering the two different categories of AI technologies and approaches that promise to drive this transformation to the legal systems of the US, UK, and beyond – both of which deploy processes more or less analogous to those of human readers making sense of literary texts. On the one hand, there is machine learning, which works by detecting patterns in large amounts of data (Surden 2019). This group of machine processors and algorithms improve their performance, or ‘learn’, by ‘examining more data and detecting additional patterns in that data’ which then assists in making better automated decisions (Surden 2019, 1312). Indeed, the underlying heuristics or patterns discovered in data can produce apparently ‘intelligent’ predictive and legally sound results: as Surden argues, machine learning is currently ‘the most significant and impactful approach to artificial intelligence’ in regard to AI and the law (2019, 1315). This is AI already driving legal systems such as COMPAS. This system uses a combination of static (frame-like) and dynamic (script-like) factors to judge ‘characters’ and predict their risk of future violence and criminality according to five variables: (1) their previous criminal involvement, (2) their relationships and lifestyles, (3) their personality traits and attitudes, (4) their family relationships, and (5) their levels of wider social integration or exclusion (see Kehl et al. 2017, 11).

The other major category for consideration is that of knowledge-based and expert systems. Beard, in a short introduction to the subject, explains that these systems ‘attempt to mimic human expertise by applying inference methodology to a specific body of knowledge to aid in decision support or problem solving’ (Beard 2014). Such

expert systems are designed, according to Susskind, to act as 'intelligent assistants in the process of legal problem-solving ... such systems ask questions of their users and guide them through the problem-solving process, utilising the embodied heuristic and formal knowledge of the experts who assisted in their design' (2000, 185). This is the AI already driving legal 'co-pilot' systems such as LexisNexis, RobinAI, and DoNotPay.

Despite the observable differences to these two AI systems, both categories rely upon the underlying processing of schemata and 'scripts' (Schank and Abelson 1977). For Schank and Abelson, a script can define any 'predetermined, stereotype sequence of actions that defines a well-known situation' (1977, 41). Thus, the mind (artificial or human) can draw upon an extensive amount of knowledge, or 'experiential repertoire', of both static (frame-like) and dynamic (script-like) types in order to understand new experiences and data: 'stored in the memory, previous experiences form structured repertoires of expectations about current and emergent experiences' (Herman 2002, 89). As Herman explains, static repertoires allow someone (or some *thing*) to distinguish inanimate objects, such as a chair from a table, or a cat from a breadbox; dynamic repertoires, on the other hand, enable someone 'to know how events unfold during common occasions, such as birthday parties, and to avoid mistaking birthday parties for a meal in a restaurant' (2002, 89). When it comes to story processing, it is unusual and often unnecessary for texts to contain every piece of information required to make them comprehensible. Indeed, although it is often possible to comprehend a story without using them, scripts and frames are actually crucial to story understanding. Usually details are omitted, and a reader's bank of frames and scripts compensate for any gaps that might appear in

the text (Emmott and Alexander 2014). Thus, schemata (aka scripts and frames) are an essential part of the cognitive basis for establishing the coherence of a text, and as AI cognitivists have recognised, help resolve ambiguity and integrate local information into larger conceptual frameworks (Jahn [2005] 2008, 69). In the same way as human readers, then, any computer that is designed to replicate human cognition needs to draw on a vast conceptual framework of knowledge and experience.

Script theory suggests that one of the ways in which both humans and machines make critical judgements (including in legal and in literary adjudications) is 'by regarding new data and experiences as essentially repeating and resembling old data and experiences already stored in stereotype form in our memories' (Herman 2002; Liveley and Shaw 2020, 258; Sanford and Emmott 2012). New situations and cases are evaluated in terms of their conformity to, or deviation from, that stereotype form or 'script' (Gavins [2005] 2008, 521). For AI researcher Mercadal, therefore, 'a script is a description of how a sequence of events is expected to unfold'; that is, in machine learning and AI systems the script 'represents a set of expectations' (1990, 255).

The same script processes can be seen to apply in human evaluations of legal cases. For example, in a legal case, a jury must consider which facts of the case are the most plausible and coherent in order to reach a verdict, and experiments have shown that scripts play a fundamental role in the way in which jurors problem-solve when they consider the evidence and the facts of a case before them (Bennett and Feldman 1981; Bex et al. 2010; Pennington and Hastie 1993). In comprehending

and reasoning the competing descriptions of events that are presented to them in court, jurors 'match what they see and hear to pre-stored groupings of actions that they have already experienced. New information is understood in terms of old information' (Schank and Abelson 1977, 67). Humans and machines, it seems, both make use of scripts to assist their problem-solving and, in principle, a knowledge-based expert AI system assesses the facts and evidence of a legal case using processes closely akin to those supposed to be employed by a human jury in adjudicating a case.

The same can be said for the comprehension of a narrative – whether that comprehension is processed by human or machine reader, and whether that narrative forms part of a legal trial or a work of literature. For it is through processing scripts that readers are able to make sense of narratives: 'in the absence of stereotypes stored as scripts, readers could not draw textual inferences of the most basic sort' (Herman 2002, 90). As Tait and Norris explain (2011, 20):

Readers understand one narrative because they have read other narratives that share analogous storylines, character development, and plot creation. Readers recognise, process, and ultimately understand narratives as they align with and fit into the grooves created by other, similar narratives, and as they reflect common narrative elements that are not just formal but also substantive.

Readers are given cognitive and mental cues by a text which are then measured against a pre-existing repertoire of 'cognitive frames and scripts' (Alber 2016, 15-16)

and translated into understanding by a set of 'contextual frames and experiential ("real world") schemata' (Liveley 2019, 237). These experiential repertoires allow human readers or listeners of stories to 'fill in the blanks' in the narrative data (Herman 2003, 10). Alternatively, as Jahn succinctly puts it: 'frames and scripts tell us what the data are, and the data tells us whether our choice of frame or script is appropriate ... [frames and scripts] supply the defaults to fill in the gaps in the discourse and provide the presuppositions that enable one to understand what the discourse is about' (Jahn 1999, 176). Indeed, we recall that it is these 'blanks' and 'gaps' in the prosecution and defence narratives that a judge and jury (or AI legal systems such as COMPAS) must negotiate in order to reach their verdict and pass judgement upon a case.

If human readers are already acknowledged to be making sense of stories using scripts and schemata akin to those used in AI, and if AI is already helping to make sense of stories in the world of law, then might current and emerging AI models of *legal* knowledge, reasoning, and decision-making illuminate the potential possibilities (and limitations) for analogous AI models of *literary* knowledge, reading, and literary criticism? As AI models and algorithms are already being deployed to pass judgements on the 'real world' narratives and stories found in the domain of law, might we look to the law for ways in which AI models and algorithms might be deployed for 'judging' literary narratives and fictional story worlds? Might algorithmic justice provide a salient analogy for thinking about algorithmic literary criticism?

Conclusion: from law to literature – and from literature to law?

Building such a dialogic connection between AI in law and literature, I suggest, could bring mutual benefits for both domains and would help to bridge what Ramsey describes as a ‘fundamental disjunction between [the] literary-critical method and computational method’ (2011, 8). Ramsey has long argued for the need to engage computer-assisted textual analysis with wider, interdisciplinary, literary critical theory and practice. In his 2003 article, ‘Toward an Algorithmic Criticism’, Ramsey called for computer-assisted textual analysis to be reconceived and to embrace the insights of literary critical theories and approaches. Indeed, in the last two decades there have been a number of attempts towards the closer integration of algorithmic and computational criticism with more traditional literary criticism, including Ramsey’s own ‘algorithmic criticism’, ‘distant reading’, ‘macroanalysis’, ‘literary pattern recognition’ and ‘quantitative criticism’ (Ramsey 2011). And a more recent explosion of interest in the digital humanities is now accelerating attempts to synthesise computational approaches with more familiar human-centred ones (Dexter et al. 2017; Jockers 2013; Long and So 2016; Moretti 2013).

Furthermore, as Long and So argue, ‘we cannot continue to ignore how machine algorithms “read” literary information’ – particularly when we are witnessing an ever-increasing number of real-world situations (such as in the law courts) in which humans are ‘blindly relying on them to enhance [their] own reading and interpretative practices’ (2016, 236-236). A robustly interdisciplinary dialogue, I suggest, is needed to help cast light on the ways in which AI algorithms (such as those being used to support legal adjudication) are learning to ‘read’ our stories. In fact, such a call for greater interdisciplinarity to help foster critical thinking in AI, and thus tackles issues of bias, transparency, errors and stereotypes, was most recently made by the editor

of *Critical AI* (Goodlad 2023). If the key to securing the greater legitimacy and efficacy of algorithms in real-world contexts – especially, though not exclusively, in legal systems – is to ensure greater transparency regarding their design and operation, then literacy critics have an important contribution to make. Indeed, Ryan once argued that intelligent machines might make explicit the cognitive processes behind interpretation and force human readers to re-evaluate their assumptions and alter their expectations about literary artefacts (Ryan 1991). I propose that human readers might now help make more explicit the cognitive processes behind algorithmic interpretation and so invite a re-evaluation of the assumptions, expectations, the biases, and prejudices that are already shaping our legal and the literary landscapes.

References

Alber, J. *Unnatural Narrative: Impossible Worlds in Fiction and Drama*. Lincoln: University of Nebraska Press, 2016.

Bagaric, M., J. Svilar, M. Bull, D. Hunter, and N. Stobbs. “The Solution to the Pervasive Bias and Discrimination in the Criminal Justice System: Transparent and Fair Artificial Intelligence.” *American Criminal Law Review* 59. 1 (2022): 95-148.

Barabas, C. “Beyond Bias: Re-Imagining the Terms of “Ethical AI” in Criminal Law.” *Georgetown Journal of Law and Modern Critical Race Perspectives* 12.2 (2020): 83-112.

Beard, M. *Expert Systems: An Introduction*. Published by Matthew Beard, 11 May 2014. Kindle edition available through Amazon Digital Services.

Bennett, W.L., and M.S. Feldman. *Reconstructing Reality in the Courtroom: Justice and Judgment in American Culture*. London: Methuen-Tavistock, 1981.

Bex, F.J., P.J. van Koppen, H. Prakken and B. Berheij. "A Hybrid Formal Theory of Arguments, Stories and Criminal Evidence." *Artificial Intelligence Law* 18 (2010): 123-152.

Bex, F.J., and B. Verheij. "Legal Stories and the Process of Proof." *Artificial intelligence Law* 21 (2013): 253-278.

Brooks, P. "The Law as Narrative and Rhetoric." In *Law's Stories: Narrative and Rhetoric in the Law*, edited by P. Brooks and P. Gewirtz, 14-22. New Haven and London: Yale University Press, 1996.

Brooks, P. "Narrativity of the Law." *Law and Literature* 14.1 (2002): 1-10.

Brooks, P. "Narrative in and out of the Law." In *A Companion to Narrative Theory*, edited by J. Phelan and P.J. Rabinowitz, 415-426. Oxford: Blackwell, 2005.

Brooks, P. "Narrative Transactions – Does the Law Need a Narratology?" *Yale Journal of Law and the Humanities* 18.1 (2006): 1-28.

Campbell, R.W. "Artificial Intelligence in the Courtroom: The Delivery of Justice in the Age of Machine Learning." *Colorado Technology Law Journal* 18.2 (2020): 323-350.

Cover, R.M. "The Supreme Court, 1982 Term – Foreword: Nomos and Narrative." *Faculty Scholarship Series*, Paper 2705.

http://digitalcommons.law.yale.edu/fss_papers/2705. Accessed Dec 17, 2023.

Davis, J.P. "Artificial Wisdom? A Potential Limit on AI in Law (and elsewhere)." *Oklahoma Law Review* 72.1 (2019): 51-90.

De Diego Carreras, A. "The Moral (Un)Intelligence Problem of Artificial Intelligence in Criminal Justice: A Comparative Analysis under Different Theories of Punishment." *UCLA Journal of Law and Technology* 25, no. 1 (2020): i-38.

Delgado, R. "Storytelling for Oppositionists and Others: A Plea for Narrative." *Michigan Law Review* 87 (1989): 2411-2441.

Delgado, R. and J. Stefancic. "Critical Race Theory: An Annotated Bibliography." *Virginia Law Review* 79 (1993): 461-516.

Dexter, J., T. Katz, N. Tripuraneni et al. "Quantitative Criticism in Literary Relationships." *PNAS* 114.16 (2017): E3195-E3204.

Dongdong, C. "How Is Tech Criticism Possible? On the Significance of Digital Technology as a Paradigm of Literary Criticism." *Contemporary Social Sciences* 1 (2022): 99-110.

Emmott, C. and M. Alexander. "Schemata." In *Handbook of Narratology*, edited by P. Hühn, J.C. Meister, J. Pier, and W. Schmid, 756-764. Berlin: de Gruyter, 2014.

Fludernik, M. "A Narratology of the Law? Narratives in Legal Discourse." *Critical Analysis of Law* 1.1 (2014): 87-109.

Friedman, L.M. "Legal Culture and Social Development." *Law & Society Review* 4 (1979): 29-44.

Fumo, J. "Types of Machine Learning Algorithms You Should Know." *Towards Data Science* (2017).

<https://towardsdatascience.com/types-of-machine-learning-algorithms-you-should-know-953a08248861>. Accessed Dec 17, 2023.

Galloway, A. "The Cybernetic Hypothesis." *Differences* 25.1 (2014): 107-131.

Gavins, J. "Scripts and Schemata." In *Routledge Encyclopaedia of Narrative Theory*, edited by D. Herman, M. Jahn, and M.L. Ryan, 520-521. London and New York: Routledge, [2005] 2008.

Geary, A. "Law and Narrative." In *Routledge Encyclopaedia of Narrative Theory*, edited by D. Herman, M. Jahn, and M.L. Ryan, 271-275. London and New York: Routledge, [2005] 2008.

Gewirtz, P. "Narrative and Rhetoric in the Law." In *Law's Stories: Narrative and Rhetoric in the Law*, edited by P. Brooks and P. Gewirtz, 2-13. New Haven and London: Yale University Press, 1996.

Giuffrida, I., F. Lederer and N. Vermeys. "A Legal Perspective on the Trials and Tribulations of AI: How Artificial Intelligence, the Internet of Things, Smart Contracts, and Other Technologies Will Affect the Law." *Case Western Reserve Law Review* 68.3 (2018): 747-782.

Golumbia, D. "Death of a Discipline." *Differences* 25.1 (2014): 156-176.

Goodlad, L.M.E. "Editor's Introduction: Humanities in the Loop." *Critical AI* 1 (2023): 1-2.

Goodpaster, G. "Criminal Law: On the Theory of American Adversary Criminal Trial." *Journal of Criminal Law and Criminology* 78.1 (1987): 118-154.

Greenstein, S. "Preserving the Rule of Law in the Era of Artificial Intelligence." *Artificial Intelligence and Law* 30 (2022): 291-323.

Grunewald, R. "The Narrative of Innocence, or, Lost Stories." *Law & Literature* 25.3 (2013): 366-389.

Hallevy, G. *Liability for Crimes Involving Artificial Intelligence Systems*. Dordrecht: Springer, 2015.

Herman, D. *Story Logic: Problems and Possibilities of Narrative*. Lincoln and London: University of Nebraska Press, 2002.

Herman, D. "Introduction." In *Narrative Theory and the Cognitive Sciences*. Stanford, California: CSLI Publications, 2003.

House of Lords Justice and Home Affairs Committee. *Technology Rules? The Advent of New Technologies in the Justice System* (2022). Accessed Dec 17, 2023.
<https://publications.parliament.uk/pa/ld5802/ldselect/ldjusthom/180/180.pdf>.

Huq, A.Z. "Artificial Intelligence and the Rule of Law." *University of Chicago Public Law and Legal Theory Working Paper Series*, No. 764 (2021).

Jackson, B. *Law, Fact and Narrative Coherence*. Merseyside: Deborah Charles Publications, 1988.

Jackson, B. "Narrative Theories and Legal Discourse." In *Narrative in Culture*, edited by C. Nash, 23-50. London: Routledge, 1990.

Jahn, M. "‘Speak, Friend, Enter’: Garden paths, Artificial Intelligence and Cognitive Narratology." In *Narratologies: New Perspectives on Narrative Analysis*. Columbus: Ohio State University Press, 1999.

Jahn, M. "Cognitive Narratology." In *Routledge Encyclopaedia of Narrative Theory*, edited by D. Herman, M. Jahn, and M.L. Ryan, 67-71. London and New York: Routledge, [2005] 2008.

Jockers, M. *Macroanalysis: Digital Methods and Literary History*. Champaign, IL.: University of Illinois, 2013.

Kehl, D., P. Guo and S. Kessler. *Algorithms in the Criminal Justice System: Assessing the Use of Risk Assessments in Sentencing. Responsive Communities Initiative*. Berkman Klein Centre for Internet and Society, Harvard Law School, 2017.

Liu, A. "Where is Cultural Criticism in the Digital Humanities?" In *Debates in the Digital Humanities*, edited by M.K. Gold, 490-509. Minneapolis: University of Minnesota Press, 2012.

Liveley, G. *Narratology*. Oxford: Oxford University Press, 2019.

Liveley, G. and R. Shaw. "Marriage Plots: A New Narratological Approach to the Augustan Marriage Legislation." *Law and Humanities* 14.2 (2020): 244-266.

Long, H. and R.J. So. "Literary Pattern Recognition: Modernism between Close Reading and Machine Learning." *Critical Inquiry* 42 (2016): 235-267.

Malek, Md. A. "Criminal Courts' Artificial Intelligence: The Way It Reinforces Bias and Discrimination." *AI and Ethics* 2 (2022): 233-245.

Marr, B. "The Top 10 AI and Machine Learning Use Cases Everyone Should Know About." *Forbes* (2016).

<https://www.forbes.com/sites/bernardmarr/2016/09/30/what-are-the-top-10-use-cases-for-machine-learning-and-ai/>. Accessed Dec 17, 2023.

McPherson, T. "Designing for Difference." *Differences* 25.1 (2014): 177-188.

Mercadal, D. *A Dictionary of Artificial Intelligence*. New York: Van Nostrand Reinhold, 1990.

Moretti, F. *Distant Reading*. London: Verso, 2013.

O'Brien, T. "Compounding Injustice: The Cascading Effect of Algorithmic Bias in Risk Assessments." *Georgetown Journal of Law and Modern Critical Race Perspectives* 13.1 (2021): 39-83.

Olson, G. "Narration and Narrative in Legal Discourse." In *Handbook of Narratology*, edited by P. Hühn, J.C. Meister, J. Pier, and W. Schmid, 371-83. Berlin: De Gruyter, 2014.

Pennington, N., and R. Hastie. "Reasoning in Explanation-Based Decision Making." *Cognition* 49 (1993): 123-163.

Ramsay, S. *Reading Machines: Toward an Algorithmic Criticism*. Chicago: University of Illinois Press, 2011.

Ramsay, S. "Reconceiving Text Analysis: Toward an algorithmic criticism." *Literary and Linguistic Computing* 18.2 (2003): 167-174.

Roth, A. "Trial by machine." *The Georgetown Law Journal* 104.5 (2016): 1245-1305.

Ryan, M-L. *Possible Worlds, Artificial Intelligence, and Narrative Theory*. Bloomington: Indiana University Press, 1991.

Sanford, A.J., and C. Emmott. *Mind, Brain and Narrative*. Cambridge: Cambridge University Press, 2012.

Schank, R.C. and R.P. Abelson. *Scripts, Plans, Goals and Understanding: An Inquiry into Human Knowledge Structures*. Hillsdale, New Jersey: Lawrence Erlbaum, 1977.

Shaw, R. "The Emperor Augustus and Narratives of Legal Origin." *Law and Literature* (2022): 1-17.

<https://doi.org/10.1080/1535685X.2022.2143080>. Accessed Dec 17, 2023.

Susskind, R. *Transforming the Law: Essays on Technology, Justice and the Legal Marketplace*. Oxford and New York: Oxford University Press, 2000.

Surden, H. "Machine Learning and Law." *Washington Law Review* 89.1 (2014): 87-116.

Surden, H. "Artificial Intelligence and Law: An Overview." *Georgia State University Law Review* 35.4 (2019): 1305-1337.

Tait, A. and L. Norris. "Narrative and the Origins of Law." *Law and Humanities* 5.1 (2011): 11-22.

Tene, O. and J. Polonetsky. "Judged by the Tin Man: Individual Rights in the Age of Big Data." *Journal on Telecommunications and High Technology Law* 11.2 (2013): 351-368.

Thomas, C. and A. Pontón-Nuñez. "Automating Judicial Discretion: How Algorithmic Risk Assessments in Pretrial Adjudications Violate Equal Protection Rights on the Basis of Race." *Minnesota Journal of Law & Inequality* 40.2 (2022): 371-407.

Wasik, M. "Computer-Assisted Sentencing." In *The Routledge Handbook of Technology, Crime and Justice*, edited by M. McGuire and T.J. Holt, 532-546. London and New York: Routledge, 2017.

Završnik, A. "Criminal Justice, Artificial Intelligence Systems, and Human Rights."
ERA Forum 20 (2020): 567-583.

Završnik, A. "Algorithmic Justice: Algorithms and Big Data in Criminal Justice
Settings." *European Journal of Criminology* 18.5 (2021): 623-642.