

# Using Event Descriptions for Metadata about Legal Documents

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**Abstract.** This position paper presents two arguments for organising metadata about legal documents around events and acts, where we will – informally – consider events to be interesting changes, and acts to be events that are intentionally caused by agents. The first argument is one of knowledge representation tactics, and the second argument is based on legal theory. Both are relatively straightforward and probably familiar, but they are nevertheless completely ignored in metadata vocabularies for legislation.



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## 1 Introduction

This position paper presents two arguments for organising metadata about legal documents around events and acts, where we will – informally – consider events to be interesting changes, and acts to be events that are intentionally caused by agents, or alternatively whatever it is that relates these intentions and events, honouring Wittgenstein’s adagium (in [Wittgenstein, 1973]) that the act is in “what is left over if I subtract the fact that my arm goes up from the fact that I raise my arm.”

The first argument is one of knowledge representation tactics, and the second argument is based on legal theory and practice. Both are relatively straightforward and probably familiar, but they are nevertheless largely ignored in metadata vocabularies for legislation. A single attribute-value pair is used for such information items as the date of promulgation, instead of reifying the publication/promulgation event and treating the date as an attribute of the event.

A particular metadata description is usually *about* (a snapshot of) some entity (taken) in a particular *state* – a perceived stability of the entity over a particular time interval that does not take account of changes that are outside the domain of interest. The granularity of that snapshot varies across metadata vocabularies, depending on the targeted community.

This is apparent in the IFLA FRBR conceptualization of bibliographic objects (cf. [Saur, 1998]): it groups hierarchically the products of different types of events in the categories work, expression, manifestation, and item. When you make a copy, the item identity changes, but descriptive metadata stays the same. When you add or change metadata statements attached the document, which apply to manifestation, expression, or work, the manifestation changes, but the expression stays the same, when you edit the text, the expression changes, but the work usually stays the same, etc.

To a community that works with certain legislation daily, the insertion of a new provision is for instance an important *event* to be noted, and even to prepare for; For the casual reader it happens to be just one of the many constituting parts of that document at the moment of consulting.

There are several good reasons, from the point of view of knowledge representation, to explicitly reify the events.

One is supplied by Lagoze (see [Lagoze et al., 2000]): for establishing semantic interoperability between different metadata vocabularies and for developing mechanisms to translate between them it is only natural to exploit the fact that some types of entities – people, organizations, places, dates, and *events* – are so frequently encountered that they do not fall clearly into the domain of any particular metadata vocabulary but apply across all of them.

It is very clearly the event, or more specifically act, that plays the mediating role between these entities and the resource the metadata description is about. The natural coherence between for instance between *author*, *publication date*, and *publication channel* information (e.g. state gazette bibliographic information) is apparent to all: all are participants in the publication (promulgation) event.

Some other reasons were noted by i.a. the author of this paper elsewhere (cf. generally [Boer et al., 2004]). Relevant events often transform “input” resources

into “output” resources, at the expression or manifestation level, and the respective metadata descriptions for those input and output resources are often the data about the event, i.e. they are shared by the input and output resource: only the perspective is different.

In formal legislation, there is for instance a natural coherence between the old consolidation, the new consolidation, the modifying legislation, the modifying authority, and the modification date. The modification event, if identified explicitly, links together three different but related resources, and interesting metadata about them.

Different perspectives on this exact same event, because its identity was not made explicit, may yield incompatible metadata descriptions, result in unnecessary duplication of metadata, and several separate occasions in which to make mistakes, therefore unnecessary maintenance, and, lastly, the loss of relevant references between documents. Explicitly identifying events increases the reliability of the meta-dating process.

As noted in [Boer and Winkels, 2005], keeping track of changes is especially relevant to law because we have to presume that the law does not become better over time. For most written resources, whether fiction or non-fiction, the last version dominates all others because it is the best: only rarely are we interested in anything other than the current state of the work. We trust that if there is a notable difference at all between today’s edition of a book and the first one, today’s version will be better. Nobody would ever bother to pick up a 17th century physics textbook to check whether the law of gravity already existed in order to decide on the question of whether 17th century witches could really fly. In law we are often asked to do exactly that: the law that applies to an event, is the law in force during that event, barring retroactive or delayed activity. A tax administration will for instance routinely work at any point in time with at least three different versions: the running tax year, the previous tax year, which is processed now, and the next tax year, which is being prepared.

In [Boer et al., 2004] the point is also made that the expectation of certain events also functions as a conceptual coat rack for missing information, which was nevertheless essential to the involved organisation, a tax administration, in its preparation for future legislation. I refer to that paper for the extended example. Essential was in this case that the Uniform Resource Identifier (URI) used in RDF metadata is not a unique name: multiple identifiers can refer to the same event (but not vice versa obviously), and what are initially believed to be separate events can – by just stating their equality – be unified without changing the metadata.

There is also a legal theoretic argument to be made for the importance of event/act descriptions, and that one is found in the institutional interpretation of the role of legislation (or contracts, or driver’s licenses, tax statement forms): One undertakes a legal act on the institutional level by producing a written statement in accordance with a certain procedure. In this reading the document is the mere physical residue of the intentional act that is really important: it functions as physical evidence that a constitutive act that modified institutional reality *happened*, and it declares the *intent* of the act.

Evidence is not only found in the central position of legal action and declaration

of intent (or will) in legal doctrine, but also in concepts like the “Act of Parliament” when one is referring in actuality to the physical *result* of that act of Parliament.

In the MetaLex CEN workshop (see e.g. [Boer et al., 2007]) the widely used classification of event participants by Judith Dick (cf. [Dick, 1991]) is used: it is interesting to note that Dick developed this vocabulary to describe *legal* text, even though the vocabulary itself is very clearly generic.

It is a mystery why the majority of XML schemas that I encounter don’t reify events. There appears to be a dislike of them on esthetic grounds: they are perceived as in some way less real or objective than dates, persons, and places, and there are obviously no established methods for identifying them, comparable to those for times, places, and persons.

In law, however it is quite important, and therefore generally quite clear whether legislative acts (signature, promulgation, enactment, modification, repeal, etc.) happened, and their determination obviously cannot be less objective than for instance the determination of the dates at which they happened.

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