

# The metaphor "artificial intelligence" in law

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# • Ordinary language

**tall rich young**  
are inherently  
vague

**Polysemy**

**Vagueness**

**Ambiguity**

**Bank**

**Financial Institution:** A place where money is kept, and financial transactions occur.

**Riverbank:** The side of a river.

**Bench or Seat:** In old English contexts, a 'bank' could also mean a bench or a long seat.

**Set or Series:** As in "a bank of switches," referring to a row or series of objects grouped together.

**I saw the man with the telescope**

- A **stipulative definition** is a type of definition that assigns a new meaning to a term or specifies its meaning in a particular context. Unlike lexical definitions, which seek to explain the current usage of a term, stipulative definitions establish a meaning by convention or agreement.

## **"personal data"**

is stipulated to mean any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

language is not just a representation of the world;  
language influences (but does not determine) the way we  
see the world



**Kuuk Thaayorre**

To describe a "bridge," which is feminine in German and masculine in Spanish,

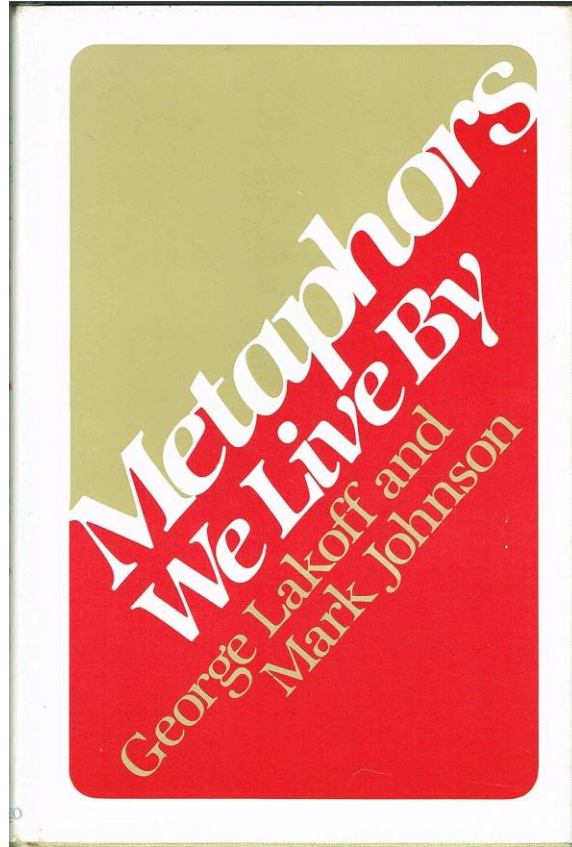
- German speakers said "beautiful," "elegant," "fragile," "peaceful," "pretty," and "slender"
- Spanish speakers said "big," "dangerous," "long," "strong," "sturdy," and "towering"

A metaphor is a rhetorical device that facilitates the mapping of the semantic properties from one domain (the source domain) onto another domain (the target domain), thereby engendering a novel semantic configuration that is not inherently apparent in the literal lexicon.

**He's not the sharpest tool in the shed.**

This metaphor compares a person's intelligence or quickness of mind to a blunt or ineffective tool, humorously suggesting that the person might be a bit slow to understand things or lacking in wit. It's a light-hearted way to comment on someone's mental acuity without being overtly harsh.





most of our ordinary conceptual system is  
metaphorical in nature

## **scientific image**

the world of fields and particles in motion, governed by mathematical laws

## **manifest image**

the world inhabited by phenomena that are the subject of our everyday knowledge: emotions, events, stories, toys, surprises, closets, mobile phones, computers.

## Ex cursus: Descartes precursor to Turing

“ [...] if there were machines that resembled our bodies and if they imitated our actions as much as is morally possible, we would always have two very certain means of recognizing that, none the less, they are not genuinely human. The first is that they would never be able to use speech, or other signs composed by themselves, as we do to express our thoughts to others. For one could easily conceive of a machine that is made in such a way that it utters words, and even that it would utter some words in response to physical actions that cause a change in its organs — for example, if someone touched it in a particular place, it would ask what one wishes to say to it, or if it were touched somewhere else, it would cry out that it was being hurt, and so on. But it could not arrange words in different ways to reply to the meaning of everything that is said in its presence, as even the most unintelligent human beings can do.”

EU Regulation:

**Direct applicability:** Regulations are binding legislative acts that must be applied in their entirety across the EU. This means that once an EU regulation is passed, it becomes immediately enforceable as law in all member states, without the need for any national implementing legislation.

**Uniformity:** The main purpose of a regulation is to ensure that the same rules apply uniformly in all member states. This helps to create a consistent legal framework across the EU.

EU Directive:

**Indirect applicability:** Directives are legislative acts that set out goals that all EU countries must achieve, but it is up to the individual countries to devise their own laws on how to reach these goals. Essentially, a directive is a legislative act that sets out a goal that all EU countries must achieve. However, it is up to the individual countries to decide how they implement it.

**Flexibility:** The directive allows for flexibility among member states in terms of how they achieve the objectives set out in the directive. This accounts for differences in the legal systems and practices of the member states.

Art. 3.1 'AI system' is a machine-based system designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments.

The notion of AI system in this Regulation should be **clearly** defined and closely aligned with the work of international organisations [...]

Moreover, it should be based on key characteristics of artificial intelligence systems, that distinguish it from simpler traditional software systems or programming approaches and should not cover systems that are based on **the rules defined solely by natural persons** to automatically execute operations. [...]

This inference refers to the process of obtaining the outputs, such as predictions, content, recommendations, or decisions, **which can influence physical and virtual environments** and to a capability of AI systems to derive models and/or algorithms from inputs/data.

**we don't have the answers yet, but we haven't  
found the right questions to ask yet.**

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