

Foreword

Certainly it is worthwhile to read this volume on the organizational side of judicial decision-making. It is a pleasure to introduce this sound analysis of junior judges' behavior in on-call services at Spanish lower courts. However, we think that this book means a lot more than that.

The author, Joan-Josep Vallbé, carries out his study at least within three interrelated dimensions—cognitive, behavioral and institutional. Starting from the general framework of bounded rationality and institutional analysis, he identifies the mechanisms at work and the conditions of uncertainty under which junior judges face a difficult decision-making environment. In this sense, as he states, it is also a study on processes that junior judges go through in order to achieve expertise in an institutionalized domain. The challenge that Vallbé takes up implies a thorough description of judges' cognitive skills and the way in which they develop a specific practical knowledge to overcome the actual situations they come to face. But, in documenting these skills and processes, the author displays as well a rich array of methods that are required to successfully tackle the problems raised by the social and political analysis of linked and shared data.

Moreover, “this book combines standard multivariate statistical methods such as ordinary least squares and logistic regression models with advanced machine learning techniques such as hierarchical clustering, multidimensional scaling, and topic models, thus treating text as data”. This is right. Data analysis for contemporary political science is at the core of this work.

The result constitutes an elegant and updated development of the institutional perspective on human and artificial information processing in the AI tradition advanced by Herbert Simon, Alan Newell, James March, Paul DiMaggio and Walter Powell. This is not surprising. Actually, Joan-Josep Vallbé contributed significantly to the Spanish translation of *The Sciences of the Artificial*,¹ and developed the theoretical

Human rational behavior (and the rational behavior of all physical symbol systems) is shaped by a scissors whose two blades are the structure of task environments and the computational capabilities of the actor.

Herbert A. Simon

¹ H. A. Simon, *Las ciencias de lo artificial*, translation by Pablo Noriega and J.-J. Vallbé, Ed. Comares, Granada, 2006.

and methodological framework presented in this volume within successive research projects that furnished him with an ethnographic insight of courts and judicial behavior,² and with a firsthand knowledge of semantic technologies.³ In the end, this book develops data analysis processing to open up a new space for a political science perspective on courts and legal settings as socio-cognitive institutions.

“Decision-making” is the cognitive action that shaped the notion of rationality in the second half of the XXth century. Inheritor of that tradition, Vallbé explores rationality in a rather particular social context that reveals the interplay between formal structured knowledge, unwritten social norms and practical problem solving under pressing moral circumstances. His subjects are junior judges whose hesitant decision-making is crunched between the weight of an institutional role recently invested on them and the pungent urgency of real life situations. At the fringe of institutional power and armed only with rote theoretical learning they are compelled to act.

Such rationality in the fringe of institutions is the problem-domain that the author defines and allows us to glimpse its epistemic, erotetic and ethnographic richness. Vallbé is guided in the exploration of this form of socio-cognitive rationality by the objective of constructing artifacts that support decision-making towards a more comfortable and effective performance and, as we have mentioned, he moves towards this objective through the application of a wise mixture of tools and methodologies.

In reading this text one is left with the pleasant realisation that Vallbé’s wise choice of problem domain and approach will open paradigmatic research questions. Perhaps, on the shoulders of classic examples like Simon’s work in the Bureau of Public Administration, Joan-Josep Vallbe’s work on the Spanish judiciary behavior will help us shape a new type of bounded socio-cognitive rationality from decision-making in the fringe of institutions.

If *schools are for fish, not for scientists*, as Simon used to say, his is a genuine personal research journey. We wish the reader to learn as much as we have done from his endeavor.

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² *Observatorio de Cultura Judicial Observatorio de Cultura Judicial del CGPJ. Estudio de datos cuantitativos y cualitativos; diseño y construcción de una red telemática de soporte para los jóvenes jueces en su primer destino, dependiente de la Escuela Judicial Española*, SEC2001-2581-C02-01, 2001–2004.

³ *Semantically Enabled Knowledge Technologies*. EU-IST 2003-506826 (2003–2006) <http://www.se-kt-project.com/>.

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