Legal Acts and Legal Agents: Interpretive Convergence, Institutional Roles, and the Structure of Legal Practice

Jeyoun Son

2026-04-30

Table of contents

Abstract

A legal order is produced and sustained by many different actors: legislatures enact statutes, courts interpret them, administrative agencies implement them, and citizens and firms plan their conduct and assert rights by relying on legal materials. How, then, can such a dispersed practice nevertheless function as a common normative order? This article addresses that question by analyzing the **internal structure of legal practice**, especially the relation between **legal acts**, **legal agents**, and legal uptake-and-response. Its starting point is that legal meaning is not simply produced by a single sovereign interpreter, by the private intention of the legislature, or by a fixed institutional form. Rather, legal meaning becomes publicly available as legal reason through a process in which legislative acts, judicial decisions, administrative measures, and patterns of compliance or contestation are read, applied, distinguished, criticized, and corrected by subsequent legal actors.

The article first develops a general theory of **legal acts**. A legal act is a communicative act that is presented, interpreted, and responded to as legally meaningful within legal practice. For such an act to function as a stable public norm, it must satisfy three felicity constraints: **Generality**, **Shareability**, and **Focal-point Stability**. Generality requires that a legal act provide a projectable normative pattern for future cases. Shareability requires that its meaning and reasons be publicly intelligible and contestable within a shared legal vocabulary. Focal-point Stability requires that the act be capable of serving as a stable point of coordination for the expectations and conduct of multiple legal agents. These G–S–F conditions explain why some legislative enactments, judicial decisions, administrative measures, and practices of compliance stabilize as legal norms, while others remain peripheral or fade away.

The article then reconceptualizes legislatures, executive officials, courts, citizens, and other legal subjects as differentiated **legal agents** participating in interpretive convergence. It thereby challenges the orthodox division according to which “making” is the function of legislatures and “interpreting” the function of courts. On the view defended here, the separation of powers is not a practice-transcendent division between law-formation and law-interpretation, but a differentiated structure of roles, responsibilities, and mutual correction within a common legal practice. In this context, Austin’s notion of uptake is extended beyond the narrow recognition of illocutionary force into a broader structure of legal uptake-and-response, through which legal acts are applied, distinguished, criticized, limited, and corrected in subsequent practice. This does not reduce legal meaning to actual social agreement or mere acceptance by a community. Rather, the article defends a view of **practice-mediated legal objectivity**: the objectivity of legal meaning is formed and maintained through public reason-giving, role-bound judgment, institutional review and correction, and precedential stabilization.

The core of the article is an account of the **judicial role**. Courts are not institutions that reveal a final meaning of law already complete apart from legal practice. They are best understood as dispute-resolution institutions whose decisions can become law-shaping focal points only through subsequent uptake within the legal community. Judicial authority is therefore earned and mediated rather than self-authenticating. Familiar puzzles about judicial supremacy, hard cases, and so-called activism are reframed as questions about how far particular decisions satisfy the G–S–F constraints under professional norms, precedential practices, reason-giving requirements, and structures of review. This analysis reframes separation of powers, the discipline of precedent, and judicial legitimacy as matters concerning the differentiated roles, responsibilities, and mechanisms of mutual correction within legal practice. Rather than restating the foundations of interpretive convergence, the article shows how such convergence is produced and maintained through the internal architecture of legal practice.

Keywords: interpretive convergence; legal acts; legal agents; legal uptake; judicial authority

Publication and citation note. This author-prepared English version is provided as a public English access edition of the Korean publication for international readers, including readers who work primarily in English or other Latin-script languages. Citation to this English edition is welcome for international discussion and ordinary scholarly reference. Suggested citation: Son, Jeyoun. 2026. "Legal Acts and Legal Agents: Interpretive Convergence, Institutional Roles, and the Structure of Legal Practice." English access edition of the Korean article. https://jeyounson.github.io/assets/publications/legal-acts-agents-en/. The version of record is: Son, Jeyoun. 2026. "법적 행위와 법적 행위자: 해석적 수렴, 제도적 역할, 그리고 법적 실천의 구조." 『법철학연구』 29(1): 35–87. https://doi.org/10.22286/kjlp.2026.29.1.002. The Korean version of record controls for definitive wording, pagination, formal indexing, Korean-language legal scholarship, and page-perfect journal references; when those matters are relevant, cite or pair this English edition with the Korean version of record and DOI.

* This article is a revised and developed version of a paper presented at the 2025 Fall Joint Academic Conference of the Korean Association Of Legal Philosophy and the Hankuk University of Foreign Studies Law Research Institute, "Issues in Legal Theory: Academic Conference in Commemoration of Professor Hak-Tae Kim's Retirement" (13 December 2025, Hankuk University of Foreign Studies). I am deeply grateful to Dr. Minyong Oh (The Association of Korean Law Schools), who offered helpful and careful comments as discussant at the conference, and to the anonymous reviewers, whose comments greatly helped improve this article.

I. Introduction

Legislatures enact statutes, courts interpret them, administrative agencies implement them, and citizens and firms plan their conduct and assert rights by relying on legal materials. A legal order is thus produced through the outputs and responses of many different actors. How, then, can such a dispersed practice nevertheless function as a common normative order? The question is familiar, but it is often framed in the wrong way. In a mature legal system, no single actor performs the whole practice. Yet legal systems do not ordinarily collapse into interpretive Babel. Statutes guide conduct, judgments organize expectations, precedents structure later argument, and administrative practice generates reliance. The problem, then, is not simply what makes law valid, but how scattered acts and responses are coordinated into a publicly intelligible legal order.

Two familiar pictures obscure that problem. The first is a speaker-meaning picture. On this view, legal meaning is transmitted from an authoritative institutional speaker, paradigmatically the legislature, to later interpreters. Courts succeed insofar as they recover and apply that meaning. The second is a judicial-finality picture. On this view, the legal meaning that matters is fixed by the court whose decision settles the dispute. The first picture overstates the determinacy of authoritative intention; the second overstates the self-sufficiency of adjudicative settlement. Both miss the same feature of legal practice: legal meaning is not fully constituted at a single moment of institutional production. It becomes publicly usable through subsequent uptake, response, contestation, and stabilization.

This article offers a practice-mediated account of legal meaning. Its core claim is that a legal act becomes a stable public norm only when it can be taken up and responded to by differentiated legal agents within a shared structure of reasons. Legal meaning is therefore neither private intention, nor brute social regularity, nor a practice-transcendent meaning fact waiting to be revealed by courts. It is a public object of practical reasoning stabilized through legally structured uptake-and-response.[1]

The article takes as its starting point the interpretive-convergence approach defended in my earlier work, where I argued that legal normativity becomes intelligible only against the background of interpretive convergence within a legal community(손제연 2025). Here the focus shifts from the existence conditions of law to the internal architecture of legal practice. The question is no longer only whether legal meaning converges, but how such convergence is produced and maintained through legal acts, legal agents, legal uptake, institutional roles, and judicial authority.

The article makes four contributions. First, it develops a theory of legal acts. Legal acts are communicative acts presented as legally meaningful and capable of being interpreted, applied, and responded to within legal practice. To function as stable public norms, they must satisfy three felicity constraints: Generality, Shareability, and Focal-point Stability. Second, it reconstructs legal agents as asymmetrically situated participants in legal meaning. Legislatures, courts, officials, and legal subjects do not possess equal authority, but all can participate in the stabilization or destabilization of legal meaning. Third, it explains the stabilization of legal meaning through legal uptake-and-response. In this broader legal sense, uptake is not limited to recognizing illocutionary force; it includes later application, distinction, criticism, limitation, correction, and reuse. Fourth, it offers an account of judicial authority as earned authority. Courts settle cases by institutional authority, but their decisions acquire wider law-shaping significance only through subsequent uptake within the legal community.

The discussion proceeds as follows. **Section II** defines legal acts and legal agents and introduces the G–S–F felicity constraints together with legal uptake functions. **Section III** formulates the tension between the practical necessity of interpretive convergence and the evident reality of interpretive divergence. In particular, it shows why both the faithful-agent model that seeks to recover legislative intent and the judicial-finality picture that attributes legal meaning to the court's final judgment are insufficient. **Section IV** develops a step-by-step resolution: it first examines the limits of the speaker-meaning model, then explains how legal meaning is disciplined through roles, training, review, and precedent, and finally reconstructs the judicial agent as an office-bound mediator within that structure.

II. Foundations: Legal Acts, Agents, and Interpretive Convergence Theory

1. Legal Acts

Legal acts are communicative acts that are presented, interpreted, and responded to as bearing legal meaning or legal effect within legal practice. When a legislature enacts a statute, a court pronounces judgment, an agency issues an order, or legal subjects rely on or challenge legal materials, those acts

[1] "Uptake" in this article refers to the concept associated with J. L. Austin's speech-act theory(Austin 1962). In Austin's narrower sense, uptake concerns the condition under which an illocutionary act is understood by an audience as that act. The present article extends that concept into a structure of legal uptake-and-response that includes the later application, distinction, criticism, limitation, correction, and generalization of legal acts. See Section II.3 below for the fuller account.

do more than add a physical event to the world. They provide reasons concerning what others must do, may claim, or may expect. In that sense, legal acts can generate, modify, apply, and stabilize structures of rights, duties, powers, responsibilities, and legal reasons. Paradigm examples of acts that contribute to stabilizing legal meaning in practice include legislative enactments, judicial decisions, administrative measures, and patterns of compliance or reliance by legal subjects.[2]

Yet the fact that such acts are performed by an authorized institution, or in accordance with a formal procedure, does not by itself explain why they function as legal acts. In mature legal systems many acts are indeed identified through recognized office, jurisdiction, procedure, and form. But those institutional markers do not fully explain how acts acquire meaning and force within the legal community. Some acts seem formally valid and still become marginal or fade away. Others arise first in response to a particular dispute and later become stable legal standards through repeated reference and uptake. To understand legal acts, therefore, we must ask under what conditions they are incorporated into the normative network of legal practice.

In this respect, legal acts resemble ordinary communicative acts while also making stronger demands. Ordinary communication may succeed when a speaker conveys meaning to a listener in a single episode. A legal act is not merely that. It presents a candidate public norm that multiple actors must be able to reference, apply, contest, and correct over time. Legal acts are communicative acts in this sense, but they are also structured by the continuity and publicity of legal practice. Therefore, for a legal act to succeed as a legal act, it must satisfy felicity constraints that allow it to function as a public norm beyond a mere event or private expression.

The first condition arises from the future-directedness of legal acts. A legal act is performed at a particular moment in a particular situation, but its meaning cannot remain locked there. Statutes must guide later conduct; judgments must not only terminate the case at hand, but also provide a reason structure that can be referred to in analogous disputes; and administrative measures must connect present decisions to later cases if they are to matter legally. If an act remains a wholly singular event, it can hardly provide later actors with legal reasons. Hence legal acts require projectability beyond the moment of issuance.

Generality (G). Generality does not mean that every legal act must take the form of an abstract rule. Judgments in concrete cases and one-off administrative decisions can also be legal acts. But if such acts are to function legally, their content or reasons must indicate how they can continue in later analogous situations. A legal act must enable later actors to ask whether the same reason applies here, how this case resembles or differs from earlier ones, and how far the rule, principle, or ratio extends. In that sense, generality requires that a legal act have the character of a **projectable normative pattern -** whether as rule, principle, ratio, or some other form.[3]

---

[2]This account is indebted to, but distinct from, conventionalist and coordination-based approaches to law. Lewis analyzes convention as a self-sustaining regularity in recurring coordination problems(Lewis 1969), and Postema develops a coordination-and-convention account of law(Postema 1982). The present theory shifts the focus from convention or equilibrium as such to the felicity of legal acts and to the differentiated uptake of legal agents.

[3]This requirement has an obvious affinity with Fuller's principle of generality and with Raz's insistence that law guide through general rules. The claim here is, however, recast at the level of legal acts: "generality" refers to the projectability of an act's content—whether as rule, principle, or ratio—into later interpretation and action. (Fuller 1969; Raz 1979)

Acts that lack generality struggle to play stable normative roles. A judgment that says only that "this result is appropriate in this case," without disclosing the legal standards that justify it, may terminate the dispute, yet it does not easily extend into legal reason for later use. A statute aimed only at a single person or event, without a more general reason structure, may retain the outward form of law while failing to become a usable legal standard. Law is always applied to particulars, but a legal act succeeds as law only if it carries a repeatable and projectable structure beyond the particularity of the episode.

Generality, however, is not enough. An act may contain a projectable normative pattern and still fail to function as law if that pattern cannot be understood by others, publicly contested, or expressed as legal reason. Legal acts cannot remain private codes. A legislature may have a definite purpose in mind, but if that purpose is not expressed through statutory language, public explanation, and interpretable reason structure, it does not become a legal reason the community can handle together. The same holds for judges. An intuitively compelling conclusion that cannot be articulated through shared legal language and accepted forms of argument remains private judgment rather than legal reason.

Shareability (S). Shareability means that the proposed norm must be **publicly intelligible and expressible in shared legal vocabulary**. This requirement is more than mere publication or promulgation. Public access is an important part of shareability, but the deeper point is that the act's meaning and reasons must be capable of being understood, defended, challenged, and revised within the public legal vocabulary of the community. What becomes shareable is not only the text, but also the reasons advanced for understanding and applying it. Legal meaning ceases to be trapped in private intention or inward judgment and becomes common property of the practice.[4]

Shareability complements generality. Generality requires a structure that can be projected into later cases, but projection is impossible if the structure cannot be understood within the community. A reasonless judgment is difficult to generalize; an opaque statute is difficult to apply; and an enactment that depends only on private intention is difficult to share within an interpretive community. The moment meaning remains locked inside the actor, it fails to become part of the common normative resources of legal practice.

Even that does not complete the success of a legal act. A norm may be both general and shareable, yet still fail if it cannot actually serve as a reference point that coordinates the expectations and conduct of multiple actors. Law is not only a system for conveying meanings. It is also a coordination order through which many actors adjust their conduct to one another. Legislators expect citizens and officials to act under enacted law. Citizens expect courts to apply law in sufficiently stable ways. Lower courts orient themselves to superior-court standards, and agencies adjust implementation by reference to statutes and precedent. A legal act succeeds only if it can function as a practical reference point within this order of reciprocal expectation.

[4] Shareability overlaps with, but is not exhausted by, publicity or promulgation. Fuller treats publicity and intelligibility as central to legality; Raz likewise stresses that law must be open and clear; and Waldron highlights the public and procedural dimensions in which legal reasons must be stated, contested, and answered. The present condition adds that what must be shareable is not only the text but also the reasons advanced for it within a common legal vocabulary. (Fuller 1969; Raz 1979; Waldron 2011)

Focal-point Stability (F). Focal-point stability means that the act's content must have enough salience, repeatability, institutional tractability, and durability of reason-structure to function over time as a **coordination focal point** for legal expectations and behavior. This is not merely an ex post restatement that the act happened to stabilize. It is a condition about whether the act is fit to become such a focal point in later practice. A judgment does not become a stable focal point merely because it has been pronounced. It becomes one when later courts cite, distinguish, or narrow it; when agencies take it into account; and when citizens and lawyers can rely on it in planning conduct. The same is true of statutes. Promulgation alone does not suffice. A statute acquires stable normative status only when relevant actors can use it as a point for coordinating expectation and action.[5]

Focal-point stability presupposes generality and shareability while going beyond them. Generality makes later projection possible. Shareability makes that projection publicly understandable and contestable. But legal practice is not simply a list of intelligible norms. It persists only when different institutions and actors can orient themselves to the same norm, and when even their disagreements occur within a common legal problem-space. Focal-point stability is thus the condition under which a legal act becomes part of the action-coordinating structure of legal practice rather than remaining a merely meaningful utterance.

The relation among the three conditions is now clearer. **Generality**, **Shareability**, and **Focal-point Stability** are not three unrelated properties placed side by side. They are three dimensions of the process by which a communicative event becomes a public norm. Generality gives the act a future-oriented form. Shareability allows that form to enter the community's public space of reasons. Focal-point stability allows those public reasons to take hold as coordinating standards for expectation and conduct. Without generality, the act remains a one-off episode. Without shareability, even a general formulation remains a private code or opaque command. Without focal-point stability, even a general and shareable standard cannot actually bind together the expectations of legal actors. G–S–F is therefore not an arbitrary triad, but an internal articulation of what legal acts require if they are to function as public norms.

This relation should not be understood as only temporal or linear. In actual legal practice, the three conditions reinforce or weaken one another. A judgment that offers clear reasons becomes more shareable; repeated use of those reasons in analogous cases strengthens generality; and the resulting reliance by courts and agencies generates focal-point stability. Conversely, a focal point that has already stabilized can later be reformulated as a more general principle, and that reformulation can heighten shareability.

[5] The focal-point element of this condition draws on a broader literature on salience, convention, and legal coordination. Thomas C. Schelling explains that, in situations of interdependence, focal points typically enable the convergence of actors' expectations through "prominence or conspicuousness"(Schelling 1960); Lewis develops the related idea of convention as a self-sustaining regularity in recurring coordination problems(Lewis 1969). In legal theory, Postema connects law to coordination and convention(Postema 1982); McAdams argues that law can work expressively by making one outcome salient(McAdams 2000); McAdams and Nadler provide experimental support for the claim that legal rules can create focal points for compliance even apart from sanctions(McAdams and Nadler 2005, 2008); and Bystranowski, Hannikainen, and Tobia extend coordination analysis to legal interpretation(Bystranowski et al. 2025). The present claim builds on, but is not reducible to, these accounts: unlike the focal point theory of legal compliance, it treats focal-point stability as one felicity constraint on legal acts generally. Its stability component also bears an affinity to rule-of-law accounts that stress relatively stable rules, though here that thought is recast at the level of act-based uptake rather than at the level of legal systems as wholes. (Raz 1979)

G–S–F is therefore better understood as a mutually reinforcing structure of adequacy than as a simple sequence. But conceptually the point is stable: for a legal act to function as a public norm, it must be projectable, publicly intelligible, and capable of coordinating action.

These conditions do not treat a pre-existing institutional order as the final stopping point of explanation. Traditionally, legal acts are often understood as institutional acts performed within recognized roles and under established procedural conditions. Searle's famous formula of constitutive rules, "X counts as Y in context C," captures that traditional picture(Searle 1995). On such an account, legal systems are structured by rules under which, for example, the utterance of certain words by an authorized legislature counts as the creation of a statutory rule, or the pronouncement of a judgment by a duly appointed judge counts as a binding order. Constitutive rules thus explain how particular performances are recognized as legally significant acts within an established institutional framework(Searle 1969).

In mature legal systems many, perhaps most, legal acts can indeed be described that way. Legislative enactments, judicial judgments, and administrative orders look like institutional performatives guided by conventions about who may legislate, how judgments are issued, and what counts as promulgation. From that standpoint, legal acts seem to derive their force from the institutional rules that determine what counts as a valid legal performance.

But this description is better understood as a retrospective characterization of stabilized legal practice than as an account of its generative logic. Searlean constitutive rules are extremely useful for describing how acts are recognized within mature institutions. Yet they do not by themselves explain why some performances are incorporated as stable norms in the legal community while others, despite formal appearance, are marginalized or fade away. It is here that the G–S–F conditions matter. They describe the adequacy structure through which legal acts are taken up, shared, and stabilized within an interpretive community. In that respect, the closer analogy is not Searle's account of institutional facts, but Austin's account of **felicity conditions** in ordinary language. Austin showed that promising, ordering, and similar speech acts require more than uttering words: appropriate circumstances, speaker authority, and audience uptake must also be in place if the act is to succeed(Austin 1962).

Likewise in law, compliance with recognized procedural conventions - proper forum, quorum, form of promulgation, and the like - may be a **necessary condition, but it is not a sufficient one**, for an act to become a working norm. Only when its content can extend beyond the immediate case (**Generality**), when its meaning and reasons can be publicly articulated within shared legal vocabulary (**Shareability**), and when it can function over time as a point for coordinating expectation and action (**Focal-point Stability**) does the act actually enter the normative network of legal practice.

From this vantage point, authority, procedure, sanctions, coercive force, democratic legitimacy, precedent, and reason-giving are not rival conditions competing with G–S–F. They are institutional mediations through which legal acts become generalizable, shareable, and stable. Procedure provides a channel through which an act can be identified and handled within the legal community. Authority heightens the likelihood that others will attend to it and orient around it. Reason-giving makes its legal meaning publicly accessible. Precedent reinforces focal-point stability through time. Sanctions and coercive force can sometimes provide external incentives for taking a legal standard seriously. Democratic legitimacy especially supports the reception of legislative acts within the community's public reason structure. But no one of these elements, taken alone, guarantees the success of a legal act.

A procedurally valid statute may still be too vague to satisfy shareability, too ultra-particular to satisfy generality, or too unstable in later application to satisfy focal-point stability. An authoritative judgment may still fail to acquire broader law-shaping force if it gives no reasons, cannot be extended to analogous cases, or repeatedly generates fragmentation in later practice. Conversely, a norm may exercise strong coordinating power even without heavy sanctions when constitutional convention, parliamentary procedure, precedent, or professional ethics give it high shareability and focal salience. These elements are therefore best understood not as additions external to G–S–F, but as institutional ways of realizing the three dimensions of adequacy.

Seen in this light, G–S–F is not merely a classificatory table. It provides a structure for diagnosing success and failure. Failure should not be explained only by saying that an act "did not converge." An act may fail because it cannot be projected into later cases. It may fail because it is not offered in a form that the community can understand and contest as public reason. It may fail because, despite generality and intelligibility, it cannot actually stabilize the expectations of later actors. These failure modes are connected, but not identical. G–S–F has independent explanatory force precisely because it lets us distinguish them.

For example, an unpublished judgment fails first in **Shareability**. However legally interesting the standard contained in that judgment may be, if the legal community cannot access and understand it, it is unlikely to become a reason for later practice. A hyper-particular statute or rider fails in **Generality**. Even if it has been procedurally enacted, it is unlikely to function as a standard of the legal order if it cannot be projected into a broader normative pattern. A legal act may have a general form and public expression, yet still fail in **Focal-point Stability** if it leaves several competing standards open without indicating which one has priority, or if it prevents later actors from forming the expectation that they will refer to a common standard. In that case, relevant actors cannot coordinate their conduct and judgment around the norm in a stable way. If any one of these failures is fundamental, the act may misfire or remain socially inert.[6]

The process by which legal acts acquire legal meaning and effect within legal practice must therefore be understood as the combination of these three dimensions. A legal act must first have a normative form capable of being projected into later cases. That form must be shared as a public reason that the community can understand and contest. And that shared structure of reasons must be capable of becoming a stable point around which multiple actors coordinate expectations and conduct. When these three dimensions combine, a legal act moves beyond a mere utterance or decision and enters the normative network of legal practice. Generality, Shareability, and Focal-point Stability mark the structure of that transition. G–S–F is therefore not a set of three items arbitrarily imposed from outside,

[6] "Misfire" is used here in Austin's technical sense for cases in which the relevant performative procedure is not properly invoked or executed, so that the purported act is "void or without effect." "Socially inert," by contrast, is not Austin's term but an extension used here to describe acts that, even if formally recognizable, fail to stabilize as law within an interpretive community. (Austin 1962)

but the internal arrangement of practical and conceptual conditions that legal acts must pass through if they are to become public norms.[7]

2. Legal Agents

Once legal acts are understood as candidates for public norms, the next question is who takes them up and how. Statutes, judgments, administrative measures, contracts, compliance, and contestation do not remain isolated events. They acquire legal significance only when other actors can read, apply, distinguish, contest, and correct them within legal practice. A theory of legal acts therefore requires a theory of **legal agents**. Legal agents are not merely formally authorized institutions. They are actors who participate in the formation and stabilization of legal meaning by performing, taking up, and responding to legal acts from role-specific positions within legal practice.

Not all legal agents participate in the same way or with the same authority. Legislatures provide starting points for legal practice by formulating general norms. Courts resolve concrete disputes and generate reason-structures that may become focal points for later practice. Executive and administrative officials implement legal norms and further specify them in application. Citizens, firms, associations, and other legal subjects do not exercise the authority to issue binding legal decisions, but they contribute to whether legal meaning is stabilized or problematized in actual social practice through compliance, reliance, objection, contracting, and litigation. To say that they participate in law-shaping practice is therefore not to say that they participate on equal terms. It is to say that legal meaning is stabilized through the asymmetric responses of actors who occupy different roles and responsibilities.

The inclusion of legal subjects is especially important. They matter not because they officially create law, but because they reveal whether a purported norm actually functions as a reason for action and a standard of expectation. When citizens rely on a statute in structuring transactions, challenge an administrative order, or invoke a precedent in asserting a right, they do not merely receive legal meaning passively. They use it in later practice. Of course, not every social reaction counts. Bare dissatisfaction, accidental conformity, or political preference do not by themselves constitute legal uptake. A legal subject's response becomes legally relevant only when it occurs through shared legal vocabulary and legal forms such as claim-making, responsibility attribution, procedural challenge, or rights assertion. With that limitation in place, the concept of the legal agent remains bounded while still capturing the multi-actor character of legal practice.

Understood in this way, legal agents set up the next analytical step. The same legal act is not taken up in the same way by legislatures, courts, executive officials, and citizens. Each actor understands and uses it through a different role, authority structure, and institutional position. Interpretive convergence therefore does not require all agents to produce identical outputs. It requires that their responses remain coordinable within a shared legal vocabulary and structure of public reasons.

[7] Although the G–S–F triad is presented here as an original reconstruction, it stands near a familiar line of thought in legality and rule-of-law theory. Fuller foregrounds generality, publicity, and clarity as central features of legality, while Raz emphasizes that the rule of law requires general, open, clear, and relatively stable rules. The present theory does not simply restate those ideas at the level of legal systems as a whole; it reworks them as felicity constraints on legal acts and on uptake within legal practice. (Fuller 1969; Raz 1979)

3. Legal Uptake-and-Response and Interpretive Convergence

In the previous sections, legal acts were described as communicative acts that can generate, modify, apply, and stabilize legal reasons within legal practice. But the fact that an act is communicative does not by itself guarantee its success. Communication is not completed by the speaker's output alone. For a legal act to have legal meaning, it must be understood, handled, and responded to by relevant agents as a legal act of a certain kind. This is where the concept of **uptake** becomes necessary.

The article borrows the term from Austin in order to emphasize that the success of a legal act cannot be explained by unilateral intention or institutional form alone. Austin's key point was that a performative utterance is not completed simply by the speaker's internal intention; it also depends on an audience or counterparty understanding the utterance as the kind of act it purports to be. If someone says "I promise," but the hearer takes the statement as a joke or a mere prediction, the promise can fail. Likewise, when a judge says, "I sentence the defendant to one year of imprisonment," relevant participants must understand that utterance not as a private opinion but as a judicial pronouncement. In that narrower sense, Austinian uptake concerns recognition that an utterance is being performed as an order, promise, judgment, appointment, and so on.[8]

So understood, uptake is tied in the first instance to the conditions under which an illocutionary act is successfully performed. But post-Austinian discussion has also shown that uptake is not exhausted by a bare psychological event of recognition. The point can be reconstructed through the relation between a speaker's intention and an audience's recognition of that intention; it can also be treated as a marker of how an utterance acquires its conventional force. The present article does not attempt to resolve those debates at the level of general speech-act theory. It draws from them only a narrower lesson for jurisprudence: for an act to function as a legal act, it must not merely be produced or announced. It must be taken up by relevant actors as a legal act of a certain kind and then processed in later practice.

In legal practice, however, that narrow point is not enough. Legal acts do not end with momentary recognition. Statutes are interpreted, applied, contested, and amended. Judgments are cited, distinguished, criticized, narrowed, and sometimes corrected by legislation. Administrative guidance is specified in implementation, and the meaning of legal measures is readjusted through patterns of compliance and contestation. For that reason, legal uptake does not stop at recognizing "this is a statute," "this is a judgment," or "this is an administrative order." It extends to how that act is later handled and responded to within practice.

[8] Austin regarded the performance of an illocutionary act as closely connected with the effect that the utterance's meaning and force are understood by the audience, that is, with "securing uptake"(Austin 1962). In this sense, Austinian uptake concerns in the first instance the conditions for the performance of an illocutionary act. Post-Austinian discussion, however, shows that the concept is not merely a matter of psychological recognition or factual understanding. P. F. Strawson reconstructs the performance of illocutionary acts through the relation between speaker intention and audience recognition(Strawson 1964), and Marina Sbisà treats uptake as a marker of illocutionary force while analyzing how it is connected with the conventional effects of illocutionary acts(Sbisà 2009). Recent discussion likewise treats uptake not as a peripheral element of speech acts but as an independent problem concerning the performance and force of illocutionary acts(Lara 2024). The present article does not adopt this entire discussion as a general theory of speech acts. It imports only one limited insight into jurisprudence: for an act to function as a legal act, it must not merely be produced or announced, but must be taken up by relevant actors as a legal act of a certain kind and processed in later practice.

The difference is like the difference between receiving a registered letter and processing it. Receiving the letter is a narrow form of uptake. But after that one may read it, answer it, object to it, archive it, circulate it to another office, or reject it as misdirected. To call all of that merely "receipt" would be too broad and too imprecise. More exactly, one should distinguish receipt from subsequent institutional handling. If Austinian uptake is closer to receiving the letter, the legal uptake analyzed here is the broader process through which the letter is read, circulated, challenged, revised, stored, or discarded within an institutional procedure.

Accordingly, the concept used below is not Austin's narrow technical notion repeated without modification. More precisely, the object of analysis is **legal uptake-and-response**. It refers to the institutional process through which a legal act is later understood, applied, distinguished, criticized, limited, and corrected within a legal community. When a judgment is pronounced, narrow uptake consists in relevant participants understanding it as a judgment rather than a mere opinion. But legal uptake-and-response in the broader sense includes lower courts following it, later courts distinguishing it, scholars criticizing it, legislatures responding by amendment, agencies adjusting implementation criteria, and lawyers reworking litigation strategy in light of it. Through those processes, the legal meaning of a judgment is not passed along as a fixed object. It is publicly handled and stabilized in later legal practice.

This broader idea must nonetheless remain bounded. If legal uptake were turned into a catch-all bag for every reaction whatsoever, it would lose explanatory force. A response counts only when it handles a legal act as a legal reason within shared legal vocabulary and institutional forms. Personal anger, bare political preference, or private dissatisfaction may be social reactions, but they are not legal uptake in the relevant sense. By contrast, citing a judgment as precedent, distinguishing its ratio, criticizing its reasons, or responding by legislative amendment are all forms of legal uptake-and-response because they treat the prior act within a public legal space of reasons.

The structure can be expressed more formally. For each legal agent A, define an **uptake function** U_A such that $U_A(x)$ represents how agent A understands, applies, distinguishes, contests, or corrects the legal act or legal content x produced by another agent. The function language is analytic rather than deterministic. It marks how a given legal act is processed within practice under role, authority, interpretive convention, reason-giving, and review.

If x is a statute, then $U_{\text{judge}}(x)$ captures how a judge interprets and applies it in a case. $U_{\text{official}}(x)$ can capture how a police officer or another administrative actor understands the powers and duties it confers. $U_{\text{citizen}}(x)$ captures how a legal subject understands obligations, rights, risks, and available moves under that law. But these outputs are not arbitrary. A judge's $U_{\text{judge}}(x)$ is constrained by text, precedent, interpretive method, reason-giving duties, and the possibility of appellate review. An official's $U_{\text{official}}(x)$ is constrained by organizational directives, enacted law, reviewability, and responsibility structures. A citizen's $U_{\text{citizen}}(x)$ is likewise shaped not by subjective feeling alone, but by promulgated law, legal advice, administrative practice, and expected patterns of enforcement.

In that sense, an uptake function shows more than how a legal act is merely "received." It shows how that act is **treated as legal reason**. Statutes are not simply read; they are applied. Judgments are not simply announced; they are cited and distinguished. Administrative decisions are not simply communicated; they are complied with or contested. Even patterns of compliance by legal subjects are not mere factual obedience, but can become repeated practices through which legal meaning is stabilized. Legal practice consists in these chains of uptake and response. Legal meaning is not completed outside the chain and then simply transmitted into it; it is publicly formed and stabilized through the chain itself.

Even so, legal practice does not arise merely because different agents each respond to legal acts in some way. If judges, agencies, citizens, lawyers, and lower courts repeatedly respond to the same law in wholly incompatible ways, then that law cannot function as a common legal standard. If $U_A(x)$ and $U_B(x)$ keep colliding, and there is no shared standard capable of mediating the conflict, law dissolves into misaligned fragments rather than a coherent normative order. Hence the problem of **interpretive convergence**.

It is crucial here that "convergence" not become a hollow name for whatever result later receives official approval. Convergence is not identical with mere factual agreement or ex post ratification. The fact that a conclusion is later affirmed by a higher court does not by itself show convergence. To say that uptake functions converge is to say that the relevant responses are mutually compatible within shared legal vocabulary and accepted forms of argument, that they supply a reason structure projectable across like cases, and that they are aligned strongly enough to coordinate later expectation and conduct.

An analogy from sport helps. In an ambiguous play, Referee A may call a foul while Referee B sees fair play. A video assistant may affirm one of them. But whichever side is affirmed does not thereby become "convergence in the rules of soccer." If the affirmed ruling cannot be related to the wording of the rules, prior officiating practice, and a standard that players and referees can understand and apply in later like cases, then it remains a one-off decision rather than a stable focal standard. Conversely, even a controversial ruling can become convergent when it is grounded in the rules, can be generalized to analogous situations, and supplies a standard around which later conduct can be coordinated.

The same point holds in law. Suppose an ordinance prohibits "vehicles" in a public park and the question is whether an electric scooter counts as a vehicle. Judge A may conclude that it does; Judge B may conclude that it does not. An appellate court might affirm either conclusion. But neither outcome becomes convergence automatically. For A's interpretation to be a genuine candidate for convergence, it must offer a public reason structure such as this: electric scooters resemble vehicles in speed, pedestrian risk, and mode of circulation, so they fall within the ordinance's safety-oriented purpose. For B's interpretation to be a candidate for convergence, it must offer a public reason structure of a different sort: at enactment, "vehicle" was publicly understood mainly in relation to registered transport such as cars and motorcycles, and new mobility devices should be included only if the legislature amends the law expressly. Both conclusions may be available, but both require public legal reasons. "It feels like a vehicle to me" or "it does not strike me as a vehicle" cannot count as candidates for legal convergence.

Interpretive convergence, then, does not mean the mechanical repetition of identical conclusions. Legal practice includes disagreement and controversy. Lower courts may distinguish superior-court precedent, scholars may criticize decisions, and legislatures may amend statutes in response to judicial interpretation. Such differences do not by themselves show the absence of convergence. In mature legal practice, convergence is often formed through dispute, distinction, limitation, and correction. What matters is whether the dispute unfolds within a shared legal problem-space and whether its results can stabilize into a reason structure that later actors can understand and use. Convergence is therefore not static unanimity, but a dynamic achievement in which heterogeneous forms of uptake-and-response become publicly alignable over time.

The point can be restated in the language of functions. For legal practice to work, the various $U_A(x)$ need not yield literally identical outputs. Judges, agencies, citizens, and lawyers approach the same law from different practical positions. Judges approach it from the standpoint of dispute resolution, agencies from administration, citizens from compliance and rights-assertion, and lawyers from argument and risk calculation. Convergence therefore does not mean that every $U_A(x)$ returns the same value. It means that these different outputs do not fall into mutual contradiction, but remain coordinable within shared legal standards and shared structures of public reason. Put simply, the relevant uptake functions must be aligned closely enough for law to guide conduct, justify decisions, and coordinate expectations.

Such convergence is neither automatic nor trivial. The mere existence of enacted text or precedent does not guarantee it, any more than the mere existence of words guarantees communication. Words can exist while speakers and hearers use them in altogether different ways. Likewise, a legal text may exist while judges, officials, and citizens understand it in radically different ways, with no shared interpretive standard capable of mediating the difference. The legislature can promulgate a text, but how that text is later understood and used remains a matter of practice and convention.

In that respect, the situation resembles the use of a natural language within a community. As David Lewis observed, a group uses a language L by participating in a convention of truthfulness and trust within L(Lewis 1969). Speakers generally intend to speak truthfully in the shared language, and hearers generally trust that speakers are doing so. Such a convention functions as a coordination solution; everyone has reason to use words consistently if they want to be understood(Lewis 1975). Legal practice exhibits an analogous structure. Legislators intend their enactments to be applied in certain ways. Judges aim to interpret enacted law in ways that are professionally and institutionally intelligible. Citizens and officials expect legal authorities not to depart suddenly from established interpretations. Those expectations need not be perfectly identical, but they must remain mutually coordinable within a shared legal vocabulary and shared structures of reason.

Interpretive convergence can therefore be understood as a self-stabilizing coordination equilibrium within a legal community. But "equilibrium" here does not mean a single eternal resting point. Legal practice changes; new cases arise; existing standards are distinguished or revised. Convergence is thus not static identity, but a condition in which legal actors continue to share public standards by which they can coordinate action and expectation even amid ongoing reinterpretation and correction. It is a reciprocal alignment in the use of legal materials, sustained because participants recognize both the benefits of shared understanding and the costs of confusion.

The relation between the G–S–F constraints and uptake functions can now be stated more clearly. A legal act must satisfy **Generality** because later actors' $U_A(x)$ must be able to handle it not as a one-off event, but as a projectable normative pattern for future cases. It must satisfy **Shareability** because different actors' $U_A(x)$ must remain mutually intelligible within public legal vocabulary and public reason structures. It must satisfy **Focal-point Stability** because different $U_A(x)$ must be alignable around a stable enough point to coordinate later action and expectation. The G–S–F constraints are thus act-level adequacy conditions governing the possibility that uptake functions can converge, while uptake functions are the analytic device that shows how those conditions operate in later legal practice.

The same framework also clarifies failure. If x is only a one-off directive that cannot be projected into later cases, then $U_A(x)$ cannot generate a stable legal pattern; this is a failure of **Generality**. If the meaning and reasons of x cannot be publicly understood, then actors do not even share what they are taking up or contesting; this is a failure of **Shareability**. If x is intelligible and general, but courts, agencies, and citizens continue to process it in mutually incompatible ways, then it fails to stabilize as a coordination point; this is a failure of **Focal-point Stability**. Failure of convergence is therefore not a single phenomenon called "disagreement." It appears in a number of ways in which a legal act fails to become a public standard within later chains of uptake and response.

The overall structure of the argument can now be summarized as follows. Legal acts must not merely be produced; they must be taken up and processed. But that uptake does not stop at Austinian recognition of illocutionary force. In law it expands into later application, distinction, criticism, limitation, correction, and generalization. This broader structure of legal uptake-and-response can be analyzed through agent-relative functions U_A. For legal practice to operate as a normative order, those functions need not produce identical outputs, but they must be alignable within shared legal vocabulary, generalizable reason structures, and stable standards of coordination. That is interpretive convergence. With those tools in place, the next section turns to the central puzzle: why should we expect interpretive convergence to hold at all, and why has the judicial role so often seemed to threaten it rather than sustain it?

III. The Puzzle of Interpretive Convergence: Divergence, Discretion, and the Judicial Role

At first blush, one might think that ensuring a unified interpretation of the law is simply a matter of all legal agents obeying the intent of the lawmaker. For example, the **faithful-agent model** traditionally holds that judges are "faithful agents" of the legislature, charged with carrying out the legislature's intent as expressed in statutes(Bruhl and Leib 2012; Ross 2013). On this naive view, convergence occurs because everyone is deferring to a single authoritative meaning, the one the legislature had in mind. If each judge asks, "What did the legislature intend here?" and each citizen asks, "What would the courts say the law means, given the statute?", presumably all will arrive at the same answer, namely the legislature's communicated intent.

However, on closer examination this picture begins to crack. **Intention is not self-interpreting.** Legislative intent (even assuming it exists and is discoverable) must itself be conveyed via language, which is subject to ambiguity and vagueness. The legislature typically speaks in general terms, applying to innumerable situations the lawmakers could not have explicitly anticipated. This leads to Hart's famous observation that legal rules have a **core of clear meaning** and a **penumbra of doubt** due to the "open texture" of language(Hart 1994). In hard or borderline cases, for example whether an electric scooter is a "vehicle" in the park within the meaning of a city ordinance, even well-meaning interpreters might diverge. The legislature's intent might not yield a unique answer, because the lawmakers themselves did not consider the case, or their intentions were not uniform or clear.

Moreover, the assumption that judges merely **discover** and apply legislative intent is complicated by the reality of **judicial discretion**. Hart noted that when legal materials underdetermine the outcome, a judge inevitably must exercise discretion and in effect creates "new law" to fill the gap(Hart 1994). This was a central point of contention between Hart and Dworkin: whereas Hart accepted a modest form of law-creation by judges in hard cases, Dworkin insisted that even in hard cases there is a right answer embedded in the law and thus denied true discretion(Dworkin 1977). For our purposes, the important point is that if judges sometimes go beyond mere interpretation and actually innovate, how can convergence be maintained? Would divergence not arise if different judges innovate in different directions? Even if one judge's innovation becomes precedent, the link between what the legislature intended and what the judge pronounces as law can become attenuated.

The puzzle deepens when we consider the **multi-agent aspect**. Law is not a one-time message from a single speaker to a single listener; it is an ongoing chain of communications among many parties. The legislature communicates through statutes, the judiciary through judgments, administrators through regulations and orders, and so on. Citizens learn the content of law partly from the statutes and partly from how officials implement them. This iterative process resembles a game of telephone, with risks of distortion at each step, except that the legal system has checks to reduce distortion. What are those checks? And can we be sure they suffice? If even one important agent, say, a judge, interprets law in a deviant way, subsequent agents such as lower courts, officials, and the public might either follow that deviant interpretation, thus collectively drifting away from the legislature's meaning, or conflict with it, thus losing convergence. Either outcome is problematic: the former undermines the democratic source of law, the latter undermines the consistency of the rule of law.

To state the problem more directly: **what keeps legal interpretation from collapsing into Babel?** This question does not assume that convergence is an external moral ideal imposed on law from the outside. Rather, it begins from the fact that legal practice already requires a certain possibility of convergence. Statutes must guide conduct, judgments must be usable as reasons in later cases, and agencies and citizens must be able to coordinate action and expectation around legal materials. If the same statute were taken by courts, agencies, and citizens to bear utterly incompatible meanings, with no common structure of reasons capable of mediating those differences, it would fail to function as a common norm. Interpretive convergence is therefore not an independent moral ideal, but a practical requirement that arises once legal acts are to function as reasons within legal practice.

Philosophers of language have long wrestled with a related question: if any present use of a rule can be interpreted in indefinitely many ways, how do we manage to say that we all follow the same rule of word use? Wittgenstein's reflections on rule-following challenge the thought that a rule, by itself, already determines all correct applications in advance(Wittgenstein 1953; Kripke 1982). On Kripke's skeptical reading, no private, mind-bound fact determines what one ought to do next in following a rule, and correctness in rule application cannot be understood apart from communal practice(Kripke 1982; Miller and Sultanescu 2022). The lesson for law is not that there are no facts about legal meaning. It is more limited: the meaning of statutes and precedents is not completed inside the private judgment of an individual judge, but becomes publicly assessable and capable of functioning as legal reason only within shared interpretive practices, forms of reason-giving, professional training, and institutions of review and correction. The solution is not to find secret instructions inside an individual mind, but to examine how legal actors are trained and constrained to continue judging and responding within the same legal problem-space.

This conclusion must nonetheless be handled carefully. The article does not simply import Kripke's skeptical solution into jurisprudence wholesale.(Kripke 1982) Kripke's discussion is used here as a challenge that reveals the limits of explanations that fix legal meaning in the private intention or internal judgment of a legislator or judge. But the position defended in this article is neither meaning-irrealism nor mere social-consensus theory. The objectivity of legal meaning is **formed and maintained in a practice-mediated way** through shared interpretive practices, public reason-giving, role-bound judgment, and structures of review and correction.[9]

At this point one might object that legal convergence is illusory. Judges and officials do disagree sharply; constitutional courts split, appellate courts divide, and legal controversies persist. But the existence of disagreement does not by itself show the absence of convergence. What matters is not whether every actor always reaches the same conclusion, but how disagreement is expressed and processed. If disagreement unfolds within a shared legal vocabulary, accepted forms of argument, and structures of reason-giving, review, and correction, then it need not dissolve legal practice. It may instead form part of the process by which legal meaning is clarified, stabilized, and rendered usable in later practice.

The legal system's actual operation makes the point vivid. Even where disagreement persists at the margins, practical agreement exists across an overwhelming range of legal questions, and legal institutions contain devices for handling the disagreements that do arise. Appellate review, en banc reconsideration, standards for overruling precedent, legislative clarification, and scholarly and professional criticism all work to keep disagreement from being left as mere fragmentation. The fact that judges issue reasoned opinions and cite legal sources matters too. It shows that legal interpretation is not mere private preference, but an argumentative practice answerable to shared standards under which some interpretations can be criticized as worse and others defended as better.

The article therefore does not presuppose the strong thesis that every hard case has a single pre-existing right answer. Nor does it reduce legal meaning to actual majority agreement or to brute power relations. What matters, rather, is that participants in legal practice present their interpretations as legal reasons within shared standards, respond to criticism, and undergo processes of review and correction. The possibility of convergence is carried by that practical structure. The puzzle, then, is not "Is there exactly one right answer?" The deeper question is how legal actors continue to judge within the same legal problem-space even amid disagreement, and what institutional devices return disagreement to a public

[9] If Kripke's discussion reveals the limits of explanations that rely on private meaning facts, John McDowell offers an anti-skeptical route that understands rule-following and the objectivity of meaning within communal practice without reducing them to mere social agreement(McDowell 1984). Robert B. Brandom's inferentialism likewise understands meaning not as an isolated representational relation, but as an inferential role within normative practices of giving and asking for reasons, and in this respect it connects with the way this article explains legal meaning through public reason-giving, responsibility, answerability to objections, and institutional correction(Brandom 1994, 2000). The article does not adopt these views wholesale at the level of general semantics, but uses them as a limited jurisprudential reconstruction for clarifying the structure of legal acts and judicial authority.

structure of reasons. That problem appears most sharply in the role of the judicial agent, which seems at once to sustain convergence and to generate the greatest risk of divergence.

The judicial puzzle can now be stated more precisely. Judges appear to be the paradigmatic interpreters, the institutional voices that say what the law is in particular cases. When things go well, they seem to be the glue of interpretive convergence: they resolve ambiguity and secure consistent application. Yet judges also stand at the center of possible divergence. An unusually adventurous judge can introduce a new interpretation that, if left uncontrolled, may spread through the system. Many lawyers and scholars fear precisely this possibility: that judges may, under the guise of interpretation, effectively rewrite the law, thereby threatening both convergence and democratic legitimacy. This fear often generates two opposing misreadings of the present theory. One is that it naively assumes judges will always follow legislative intent. The other is that it grants judges so much discretion that "convergence" becomes nothing more than whatever judges say it is. Both readings misconceive the judicial role defended here. The real task is to explain how judges can remain independent in judgment and yet still be constrained toward convergence.

Summarized at the highest level, we face a many-sided problem. Legal communication is subject to the general indeterminacies of language and the special underdeterminacies of legal texts. Law is produced, interpreted, administered, and complied with by different agents, so the meaning and effect of legal materials cannot be stabilized by the intention of one actor or the output of one institution alone. And judges require some freedom to interpret law and apply it to changing circumstances, even though that very freedom can make them look like sources of divergence. The question, then, is not where fully completed legal meaning exists in advance. It is how responses by differently situated legal actors can nevertheless be coordinated within public structures of reason and stabilized into repeatable standards. The next section addresses that problem in three steps: first by examining the limits of the speaker-meaning model, next by explaining how public legal meaning is disciplined through roles, training, review, and precedent, and finally by reconstructing the judicial agent as an office-bound mediator within that larger structure.

IV. Step-by-Step Resolution: From Individual Intent to Practice-Mediated Uptake

1. Communication in Law: Beyond the Speaker-Meaning Model

A natural starting point is to compare legal communication to ordinary communication between a speaker and a listener. Paul Grice's account of meaning suggests that successful communication occurs when the speaker intends to convey a certain meaning and intends the listener to recognize that intention, and the listener does so recognize it(Grice 1957, 1989). One might analogize: the legislature is the "speaker" whose meaning is the law's content, and judges (or other officials) are the "listeners" who must grasp that intended content. If every judge correctly infers the legislature's intent, interpretive convergence is achieved as the result of the intended design: the judges' uptake matches the legislature's communicative intent.

However, this speaker-meaning model in its naive form proves inadequate for law. Unlike ordinary conversations, the participants in legal communication are not equals conversing in real time with immediate feedback. The legislature typically cannot directly correct a misunderstanding by a judge in the way a speaker can immediately clarify a listener's confusion. There is a **temporal and contextual gap**: laws are enacted at one time by one group of people and later applied by entirely different people to situations the drafters never saw. The Gricean mechanism of meaning, speaker intention and audience recognition of that intention, strains under these conditions. First, legislative bodies do not have unitary minds; attributing a single intention to a multi-member body is fraught. Is it the intent of the median voter, the compromise everyone could live with, or an abstract "objective" intent? Second, even if we posit an objective intent, the **audience of the law is diffuse and deferred**. Judges and officials belong to a professional interpretive community that follows certain conventions, such as "plain meaning" rules and canons of construction, and those practices mediate how they seek intent. This means that what judges recognize is not raw psychological intent, but intent as filtered through those practices. In essence, the communicative chain is mediated by **publicly accessible meaning**, that is, by the text of the law and the legal practices through which that text is interpreted.

Thus, we move from a simple Gricean picture to a more **public semantic picture**: the content of a legal act is determined not solely by a speaker's will, but by how that act *can be reasonably understood* within shared linguistic and legal conventions at the time of uptake. On this view, meaning is not simply fixed at the moment of authorship; it becomes publicly usable and stabilized through the way the act is taken up, contested, and sustained within the community's shared interpretive standards. This tracks the familiar distinction between *speaker's meaning* and *utterance* (*or sentence*) *meaning*(Grice 1989). A legislature may pursue a certain goal and choose words to further that goal, but the meaning of the statute it enacts is to a large extent fixed by the conventional semantics of those words and by technical legal usage as understood in the legal community. Legislatures typically intend to be bound by such conventions: they aim to communicate publicly, not in a private code. When they fail, for example by using obscure or idiosyncratic language, intention may fail to become law. Within the G–S–F framework, these linguistic competencies fall principally under **Shareability** and, insofar as drafting frames a rule rather than a one-off decree, under **Generality** as well. Hopelessly vague or internally contradictory laws frustrate convergence for precisely that reason.

But if the earlier discussion of coordination and convention helps explain stability in legal practice, another point must be added here. What matters is not merely that actors move in the same direction. Legal convergence depends on their capacity to present their interpretations and responses as public legal reasons and to criticize one another's reasons in turn.

In that sense, "public" does not mean merely that many people happen to think the same thing. It means that legal meaning is articulated within a public space of reasons: it can be offered, used inferentially, exposed to counterargument and distinction, and made to organize later responsibility and authority. In this respect, the account defended here is closer to an **institutional inferentialism** than to simple social constructivism.[10] The meaning of a legal act is not fixed only by what it represents. It is also publicly

[10] The phrase "institutional inferentialism" does not mean that Brandom's inferentialism is simply applied wholesale to legal theory. The more limited point is that, just as Brandom understands meaning through inferential roles within normative practices of giving and asking for reasons, the present article has an affinity with that problematic insofar as it under-

grasped through what claims it makes available, what distinctions it permits, what responsibilities it generates, and what later decisions it justifies or constrains. The meaning of a judgment, for example, lies not only in its bottom-line outcome, but also in the legal reasons it endorses, the doctrine it generalizes, and the exceptions and objections it leaves open. Legal meaning becomes usable and stabilized in these inferential and institutional roles.

One might ask: if the law's meaning is essentially public, do we even need to talk about legislative intent at all? Some theorists, especially textualists, argue that interpretation should focus on the meaning of the text *as understood by a reasonable reader* at the time of enactment, while disregarding subjective intent. Others argue that intent or purpose plays a guiding role, especially when texts are ambiguous. The present theory can accommodate both positions to a degree by recognizing a **hierarchy of interpretive sources**. Text and conventional usage provide the first cut, that is, the publicly available content; evidence of purpose or intent may resolve remaining ambiguity. For convergence, however, the decisive point is that whatever interpretive strategy is used, it must be **shared among interpreters**. If half the judges in a system are strict textualists and the other half purposivists, systematic divergence may result. A legal system can tolerate some methodological diversity, but stable convergence usually requires a dominant or at least coordinated approach in practice. One way this is achieved is through **methodological conventions**: judges are trained to interpret statutes in roughly similar ways, using accepted canons and precedent, and those conventions help synchronize uptake functions.

At this point, then, we have gone beyond a purely individualistic model by showing how legal meaning becomes publicly usable as legal reason. But that is still not enough. If legal meaning is to operate as public reason, there must also be institutional structures through which reasons are presented, reviewed, and corrected. Judges stand at the center of those structures, even as they appear to possess the discretion most likely to disrupt convergence. We therefore need to consider the **institutional context and feedback mechanisms** that surround judicial interpretation.

2. Institutional Roles and the Discipline of Convergence

The conclusion of the previous section was that legal meaning must become usable within a public space of reasons. But public reason does not operate by itself in an abstract space. It is institutionally formed by who speaks from what position, under what procedure reasons are given, and to what forms of review and correction those reasons are exposed. What is needed at this stage is an account of the structures of role, training, review, and precedent that sustain the public character of legal meaning.

Every legal agent operates under **role-structured and practice-structuring constraints** that direct interpretive outputs in certain ways and impose answerability to others. These constraints are not abstract normative commands imposed from outside legal actors, but public forms necessary for their responses to function as legal reasons. For judicial interpretation, administrative implementation, and the compliance or contestation of legal subjects to become meaningful responses within legal practice, they must be situated within roles, procedures, forms of reason-giving, and possibilities of review. In that

stands legal meaning through what claims, distinctions, responsibilities, and possibilities of objection a legal act opens up(Brandom 1994, 2000).

sense, "institutional" does not mean that meaning arises only inside already completed institutions. It refers to the sedimented roles, practices, and feedback mechanisms through which interpretive uptake is stabilized over time.

For judges, those constraints include interpretive conventions, appellate review, duties of reason-giving, and the force of precedent. These work as feedback and correction mechanisms. An eccentric trial-court interpretation may be reversed on appeal; even judges at the apex of a court must sustain the support of colleagues; and when a line of interpretation becomes unworkable or sharply at odds with widely shared normative expectations, the legislature can respond by amendment or reenactment. Legal practice is therefore traversed by opportunities for **uptake and response** by other actors. Importantly, uptake here does not mean mere endorsement. It includes following, distinguishing, contesting, narrowing, and correcting: the various ways in which a community renders a prior act tractable as public legal reason.

The uptake-function framework can now be applied iteratively. Suppose the legislature L enacts a law x. A judge J interprets it as $y = U_J(x)$ and applies y in adjudication. That judicial application then becomes the object of further uptake by other actors. Higher courts may cite it, reverse it, or distinguish it; administrative agencies and prosecutors may adjust enforcement to y or create conflicts that prompt clarification. If the legislature strongly resists the trajectory generated by y, it may enact an amendment or reenact the law as x' in order to move later uptake in effect toward some z, for example by designing it so that, under dominant interpretive methods, $U_J(x') \approx z$. This does not guarantee convergence to a single equilibrium in the economist's sense. More realistically, the system tends to settle into **locally stable focal points**: interpretive patterns produced when further rounds of uptake and feedback no longer generate significant change under existing professional norms, precedential practices, and review structures. Interpretive convergence in this sense does not mean merely that several actors have reached the same conclusion. It means that coordinated uptake across agents and over time produces a publicly shareable understanding robust enough to guide future conduct without renegotiating the same meaning from the beginning each time.

The socialization and training of legal agents matter just as much. The central lesson of the rule-following debate for jurisprudence is that the correctness of rule application is not completed inside each actor's private psychological state(Wittgenstein 1953; Kripke 1982). But this does not mean that actual agreement within a community simply makes correctness. Legal training is not merely a process of habituating members to give the same responses. It is a process of learning what counts as a reason, what claims incur responsibility, and what kinds of distinction, criticism, and rebuttal are permitted. Judges and lawyers, through education and professional training, learn not only lists of rules but how to give reasons, answer objections, distinguish precedent, and justify conclusions in ways that others within the community can recognize and assess. This training makes lawyers not a mere opinion community, but a **public reasoning community**.[11]

[11] What matters here is not a community of bare agreement, but a public reasoning community in which participants give and ask for reasons, attribute responsibility, and answer objections. This emphasis resonates with McDowell's attempt to avoid reducing objectivity to mere social agreement, and with Brandom's inferential emphasis on normative roles within reason-giving practice(McDowell 1984; Brandom 1994, 2000).

This is why the objectivity of legal interpretation is not guaranteed by the fact of actual agreement, but by reason-giving, criticizability, and institutional corrigibility. A judge who claimed to interpret a statute by consulting a horoscope would not be excluded because such a move is logically impossible. The point is that it cannot be responsibly offered within the space of legal reasons. By contrast, legislative history, text, purpose, precedent, structural coherence, and constitutional value can compete with one another precisely because they can be advanced as reasons within legal argument. The community does not merely set the boundary of legitimacy as a brute fact; it continually reproduces that boundary through processes of reason-giving, objection, review, and correction. In this way, the objectivity of legal meaning is maintained neither by private meaning facts nor by mere social agreement, but by institutional practices of giving and asking for public reasons.

These considerations can now be reconnected to the formal structure. The G–S–F constraints are not mere thin conditions of interpretability. They are also conditions under which a legal act becomes **inferentially usable** within the public space of legal reasons. For an act to have legal meaning, it must not only be clear and located within known practices; it must also be sufficiently articulated that later actors can cite it, distinguish it, criticize it, and apply it as a reason. In the case of legislative acts, this means that the text must be intelligible to its legal audience in light of shared language and interpretive canons, involving **S** and, when rule-like form is at issue, also **G**. In the case of judicial acts, one condition of substantive success is that the decision be justified in a form that other members of the legal community can follow. Opinions are written not only to record outcomes, but to persuade and explain. A judgment that resolves a dispute without intelligible reasons may still terminate that dispute, yet fail in **Shareability** and fail to generate **Focal-point Stability**. As a result, legal actors may not know how to generalize or respect that judgment. In extreme cases, unexplained or opaque decisions may invite narrowing interpretation or tacit noncompliance, thereby weakening their authority.

Another institutional feature that promotes convergence is **stare decisis**. Precedent directly supports temporal convergence by aligning present judges with earlier interpretations unless there is strong reason to depart. It creates an expected continuity in uptake functions: absent material change, $U_{J_{2026}}(x)$ should not differ radically from $U_{J_{1996}}(x)$ for the same law x. That continuity reduces surprise and makes coordination easier, because legal actors can better predict how legal materials are likely to be handled in the future. From the standpoint of convergence, precedent narrows the dimensions of disagreement by making later judges begin from a common interpretive baseline rather than reopening every issue from scratch.

All of these mechanisms, appellate review, legislative correction, professional training, reasoned opinions, and precedent, form part of the **structure of legal practice**. That structure is itself the sediment of past acts and uptake rather than a prior frame imposed from above. Collectively, these mechanisms keep interpretive outputs aligned across agents and over time. One useful analogy is error correction: even when a particular actor deviates, the structure can absorb, discipline, or correct the deviation so that the system as a whole does not lose its bearings. The claim of interpretive convergence theory is that such structural features are not incidental. They are part of what makes legal practice possible as a cooperative normative enterprise.

3. Clarifying the Judicial Agent's Role: Authority and Obligation in Interpretation

The first two steps showed that legal meaning is not simply transmitted from private intention, but becomes usable within a public space of reasons, and that this public reason is disciplined by institutional roles and feedback structures. The remaining issue is the status of the judicial agent, who stands at the center of that structure while also seeming to generate its greatest risk of divergence. Judges are often portrayed in two opposed ways: either as subordinate agents or spokespersons who must faithfully implement legislative or enacting intention, or as independent authorities or legislators who unilaterally fix the meaning of law through their judgments. The theory of interpretive convergence developed here resolves these two extremes by reconceptualizing judges as **mediating agents**. Judges mediate between law on the books and law in operation, and their core office-bound role is to contribute to maintaining law as a coherent and publicly intelligible system that can be reliably taken up by others.

Questions about what grounds and explains legal facts such as legal rights, duties, powers, and the effect of judgments are unavoidable theoretical questions in jurisprudence. This article, however, rejects the specific picture on which legal meaning already exists in completed form apart from legal practice and is then finally discovered or revealed by courts. We may call that picture **practice-transcendent meaning realism** or a **judicial revelatory model**. Against it, the present account holds that legal meaning and authority are formed and sustained through public reason-giving, role-bound judgment, later uptake, precedent, review, and institutional correction. This does not reduce legal meaning to whatever social reaction happens to occur. But it also does not appeal to a completed meaning fact existing prior to legal practice. It defends, instead, the view that the objectivity of legal meaning is formed and maintained in a practice-mediated way within public legal practice.

On this view, judicial authority does not have priority in determining the final meaning of law in advance of legal practice as a whole. A judgment may have immediate institutional force in the case before the court, yet its broader law-shaping significance depends on whether it is later cited, generalized, distinguished, narrowed, criticized, and entrenched in subsequent practice. Judicial authority should therefore be understood as a form of **earned authority**, not as self-grounding authority. Courts are not institutions that reveal completed meaning in advance of legal practice, but dispute-resolution institutions whose outputs can become coordinating standards within the legal community through later uptake-and-response. It is accordingly more precise to speak of the judge as an **office-bound interpreter**. Judicial freedom is not the freedom of a private individual, but the freedom of an office constrained by role-responsibilities such as impartiality, reason-giving, fidelity to recognized legal sources, and responsiveness to review. Those responsibilities do not make adjudication mechanical. Judgment remains indispensable. But purely idiosyncratic, whimsical, or result-driven departures are excluded as failures of office-bound adjudication. In the framework developed here, the judge's uptake function U_J is not a blank check. It is conditioned by training, shared interpretive norms, and the monitoring mechanisms described above, all of which aim at maintaining interpretive convergence and, when necessary, at responsible transition.

Misunderstanding often arises from attending to only one extreme of the spectrum. Critics worry that if judges enjoy any creative leeway, convergence is abandoned and law becomes merely "judge-made law" from case to case. The theory defended here shows why that fear is overstated. Creative leeway is limited by a commitment to convergent practice. Judges **want** their decisions to fit with other decisions and to be followed by others, both because of professional ethos and because ineffective decisions achieve little. In economic terms, judges internalize many of the externalities of interpretation: they know that if they stray too far, higher courts or the legislature will react, and their own reputation will suffer. On the other hand, some worry that if judges are too constrained, that is, if they are merely faithful agents, they cannot respond to new circumstances or correct injustice, making the law rigid and unresponsive. It is here that **reasoned discretion** becomes important. Within the bounds of plausible interpretation, judges can push law to adapt. If their adaptive interpretation genuinely resonates with social values or legal principle, it may well be accepted by *other actors*, such as future courts, public opinion, or even the legislature's tacit acquiescence. In that event, convergence shifts to a new equilibrium, one perhaps not explicitly imagined by the original legislature, but still consistent with larger commitments of the legal system.

A concrete illustration helps. Consider a broadly worded statute enacted decades ago that, read literally today, would yield what seems an absurd or unjust result in changed circumstances. A judge then faces a dilemma: remain faithful to the letter and produce an unjust result (faithful agent), or adjust the interpretation to avoid the absurdity (creative legislator). Different judges may choose differently at this point, and this is precisely where interpretive divergence threatens. But notice how the institutional framework guides the resolution. There is, for example, the "absurdity doctrine," which allows judges to depart from literal text in order to avoid outcomes the legislature could not reasonably have intended. This in effect asks judges to honor a higher-level legislative intent, namely the intent not to produce absurd results. There are also techniques that interpret statutes in light of constitutional values or applicable international norms. If Judge A departs from the text to avoid absurdity while Judge B adheres to the text strictly, an appellate court may intervene and endorse one approach as legitimate. If it accepts the absurdity-avoiding interpretation, it will also try to connect that interpretation to convergent practice. It may reason, for example, that no reasonable lawmaker would have intended this outcome, and that although the interpretation is not the most literal one, it better honors the statute's purpose and the rationality of the legal system. If instead the court sticks to the text, it may send a different signal to the legislature: "We, as judges, are constrained by the enacted language. If the result of that constraint is bad, you, the legislature, must change the law." Either way, there is a dialogue. Judges and legislatures maintain a coherent legal order through mutual adjustment. Convergence does not mean static identity. It can include a process of coordinated evolution. What matters here is not that the court reconstructs the actual legislature's psychological intention, but that the interpretive method of avoiding absurd results provides a reason structure that can be publicly offered in relation to statutory text, the rationality of the legal system, institutional role allocation, and the possibility of later legislative correction.

An important upshot is that the judicial role is inherently interstitial and interactive. Judges stand between law on the books and the practical outcomes of adjudication, and their fidelity is dual: on the one hand to recognized legal sources such as statutes and precedent, and on the other to law's aspiration to justice and reason. This dual fidelity prevents both total interpretive divergence and mindless formalism. In one sense, judges are translators. They translate legally available materials, statutes, precedents, and other recognized sources, into the concrete context of particular cases. Good translation requires both fidelity to the source text and making sense within the target language[12]. If a translation is not acceptable to the target audience, it fails; if it betrays the source, it fails. Judges strive to avoid both failures. The best judgments are precisely those that respect law's text and purpose while also sounding persuasive in context. Those judgments draw convergence from other actors and allow everyone to say, "yes, this is acceptable as what law should be."

We can now dispel the *misunderstanding* that judicial independence and interpretive convergence are at odds. On the contrary, properly understood judicial independence is a component of convergence. A judge independent from improper influences such as political pressure or personal interest is more likely to adhere to the **legal** reasons and shared interpretive principles that others recognize as legitimate. When judges are impartial and coherent, they strengthen convergence through interpretations based on common legal reasons rather than eccentric or partisan bias. If judges made outcomes vary based on electoral or personal considerations, impartiality would be threatened and the law's consistency undermined. Thus, maintaining a judiciary insulated from certain pressures is precisely aimed at keeping interpretive practice convergent on legal merits(Ross 2013).

Finally, let us consider the extreme case: what if an entire judiciary starts deviating in some direction that the rest of the legal system or society cannot accept? For instance, suppose courts uniformly adopt a very peculiar interpretation of a statute that thwarts its obvious purpose. Here, the ultimate backstop of convergence comes into play: the **legislative corrective**. In a constitutional, democratic system, the legislature, or the people through constitutional amendment, may be said to have the last word over legal norms. They can clarify or rewrite the law to re-establish the intended interpretation. The existence of this power exerts a subtle but real influence on judges: knowing that a gross misreading could be overturned by legislation and perhaps embarrass the judiciary, judges have reason to stay within plausible bounds. Conversely, if the political branches acquiesce to the judiciary's reading, that acquiescence functions as a kind of ratification, integrating the judiciary's interpretation into effective law. Over time it becomes part of the convergent practice, as everyone adjusts their understanding to it.

In conclusion of this step-by-step resolution, once our attention shifts from isolated acts of intention or meaning to the practice-mediated structure of legal uptake, the specter of interpretive anarchy largely recedes. Judicial interpretation no longer appears as a rogue source of divergence, but as one phase within a wider communicative process in which legislatures, courts, executive officials, and legal subjects mutually shape, contest, and stabilize one another's interpretations. The judicial agent thus appears not as a privileged institution that determines a completed meaning prior to legal practice, but as an office-bound mediator that helps keep legal practice publicly intelligible and normatively coherent. Interpretive convergence is sustained through the interplay of act-level G–S–F felicity constraints, shared social and methodological conventions, and institutionally structured forms of uptake, response, and review. Deviations are neither impossible nor fatal. They can be contested, corrected, and in some cases absorbed into convergence through reason-giving, precedent, appellate supervision, legislative response, and professional criticism. The result is not static unanimity, but a self-correcting communicative order in which legal meaning is stabilized over time through coordinated uptake across agents. The puzzle of convergence is not solved by identifying a single sovereign interpreter, but by showing

[12]Here, the target "language" is the concrete facts and social context.

how the structure of legal practice, as the sediment of past acts and uptake, continually generates and maintains publicly shareable focal points of legal understanding.

V. Conclusion

This article began from a single puzzle: how can a legal order remain publicly intelligible and normatively coherent when it is produced, interpreted, and applied by multiple agents occupying different roles? The answer, I have argued, lies neither in the fiction of a single sovereign speaker whose meaning is simply transmitted through the system nor in a skeptical image of unconstrained interpretive pluralism. A legal order holds together when legal acts are taken up, contested, generalized, and relied upon within shared interpretive standards. That unity is not the output of an isolated author, but the product of practice-mediated uptake-and-response by later actors.

From that starting point, the article advanced two central claims. First, legal acts are best understood as communicative acts that can function as stable public norms only when they satisfy the felicity constraints of Generality, Shareability, and Focal-point Stability. These constraints explain why some enactments, judgments, administrative measures, and patterns of compliance stabilize as working norms while others remain peripheral or fade. Second, legal agents are not divided into wholly separate spheres of making and interpreting. Legislatures, executive officials, courts, and legal subjects all participate, differently and unevenly, in the stabilization and coordination of legal meaning through their respective forms of uptake, and thus in the broader process of law-formation. The separation of powers therefore appears not as a practice-transcendent partition, but as a differentiated structure of roles, responsibilities, and mutual correction within a common legal practice.

This reframing clarifies the judicial role. Courts are not institutions that reveal a final legal meaning already complete apart from practice. They are dispute-resolution institutions whose decisions can become law-shaping focal points only through later uptake within the legal community. Judicial authority is therefore earned and mediated rather than self-grounding. Properly understood, judicial independence is not a threat to convergence but one of its conditions, because it helps keep judicial reasons answerable to common legal standards rather than to partisan will or private preference. At the same time, reason-giving, precedent, appellate review, legislative response, and professional criticism keep judicial innovation from dissolving into fragmentation.

The larger picture is not one of static unanimity but of a self-correcting communicative order. The structure of legal practice is itself the sediment of past acts and uptake, not a framework imposed from above. Legal meaning remains common not because all participants think alike, but because disagreement is channeled into publicly shareable forms that can be criticized, revised, and stabilized into focal points of understanding. This is not a reduction of legal meaning to actual social agreement. It is a claim about **practice-mediated legal objectivity**: legal meaning is formed and maintained through public reason-giving and institutional response. On this view, interpretive convergence is not a mysterious background assumption of jurisprudence. It is the ongoing achievement through which law becomes, and remains, a common normative practice.

References

Austin, J. L. 1962. *How to Do Things with Words*. Edited by J. O. Urmson. Harvard University Press.

Brandom, Robert B. 1994. *Making It Explicit: Reasoning, Representing, and Discursive Commitment*. Harvard University Press.

Brandom, Robert B. 2000. *Articulating Reasons: An Introduction to Inferentialism*. Harvard University Press.

Bruhl, Aaron-Andrew P., and Ethan J. Leib. 2012. "Elected Judges and Statutory Interpretation." *University of Chicago Law Review* 79 (4): 1215–83.

Bystranowski, Piotr, Ivar Hannikainen, and Kevin Tobia. 2025. "Legal Interpretation as Coordination." In *The Cambridge Handbook of Experimental Jurisprudence*, edited by Kevin Tobia. Cambridge University Press. https://doi.org/10.1017/9781009170901.036.

Dworkin, Ronald. 1977. *Taking Rights Seriously*. Harvard University Press.

Fuller, Lon L. 1969. *The Morality of Law*. Revised edition. Yale University Press.

Grice, H. P. 1957. "Meaning." *The Philosophical Review* 66 (3): 377–88.

Grice, H. P. 1989. *Studies in the Way of Words*. Harvard University Press.

Hart, H. L. A. 1994. *The Concept of Law*. 2nd ed. Clarendon Press.

Kripke, Saul A. 1982. *Wittgenstein on Rules and Private Language: An Elementary Exposition*. Harvard University Press.

Lara, Joel de. 2024. "The Problem of Uptake." *Inquiry: An Interdisciplinary Journal of Philosophy* 67 (10): 3893–929. https://doi.org/10.1080/0020174X.2022.2074880.

Lewis, David K. 1969. *Convention: A Philosophical Study*. Harvard University Press.

Lewis, David K. 1975. "Languages and Language." In *Language, Mind, and Knowledge*, edited by Keith Gunderson. University of Minnesota Press.

McAdams, Richard H. 2000. "A Focal Point Theory of Expressive Law." *Virginia Law Review* 86 (8): 1649–729. https://doi.org/10.2307/1073827.

McAdams, Richard H., and Janice Nadler. 2005. "Testing the Focal Point Theory of Legal Compliance:

The Effect of Third-Party Expression in an Experimental Hawk/Dove Game." *Journal of Empirical Legal Studies* 2 (1): 87–123. https://doi.org/10.1111/j.1740-1461.2005.00032.x.

McAdams, Richard H., and Janice Nadler. 2008. "Coordinating in the Shadow of the Law: Two Contextualized Tests of the Focal Point Theory of Legal Compliance." *Law & Society Review* 42 (4): 865–98. https://doi.org/10.1111/j.1540-5893.2008.00361.x.

McDowell, John. 1984. "Wittgenstein on Following a Rule." *Synthese* 58 (3): 325–63. https://doi.org/10.1007/BF00485246.

Miller, Alexander, and Olivia Sultanescu. 2022. "Rule-Following and Intentionality." In *The Stanford Encyclopedia of Philosophy*, Fall 2022, edited by Edward N. Zalta and Uri Nodelman. https://plato.stanford.edu/archives/fall2022/entries/rule-following/.

Postema, Gerald J. 1982. "Coordination and Convention at the Foundations of Law." *The Journal of Legal Studies* 11 (1): 165–203. https://doi.org/10.1086/467697.

Raz, Joseph. 1979. "The Rule of Law and Its Virtue." In *The Authority of Law: Essays on Law and Morality*. Clarendon Press.

Ross, Bertrall L. II. 2013. "Reconsidering Statutory Interpretive Divergence Between Elected and Appointed Judges: A Response to Aaron-Andrew p. Bruhl and Ethan j. Leib, Elected Judges and Statutory Interpretation." *University of Chicago Law Review Online* 80 (1): 53–80.

Sbisà, Marina. 2009. "Uptake and Conventionality in Illocution." *Lodz Papers in Pragmatics* 5 (1): 33–52. https://doi.org/10.2478/v10016-009-0003-0.

Schelling, Thomas C. 1960. *The Strategy of Conflict*. Harvard University Press.

Searle, John R. 1969. *Speech Acts: An Essay in the Philosophy of Language*. Cambridge University Press.

Searle, John R. 1995. *The Construction of Social Reality*. Allen Lane.

Strawson, P. F. 1964. "Intention and Convention in Speech Acts." *Philosophical Review* 73 (4): 439–60. https://doi.org/10.2307/2183301.

Waldron, Jeremy. 2011. "The Rule of Law and the Importance of Procedure." In *Getting to the Rule of Law*, edited by James E. Fleming. New York University Press.

Wittgenstein, Ludwig. 1953. *Philosophical Investigations*. Translated by G. E. M. Anscombe. Basil Blackwell.

손제연. 2025. “법의 해석적 수렴 이론.” 법철학연구 28 (3): 199–237. https://doi.org/10.22286/kjlp.2025.28.3.007.