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The Collective Mind of the Court. Insights from a European Project on Collective Intentionality in Collegial Courts[1]

• **Abstract** •

In the labyrinthine corridors of democratic theory and legal practice, there exists a realm seldom charted: the inner workings of collegial courts, where individual judgments dissolve into the elusive 'we' of collective authority. This inquiry, conducted under the auspices of the COIN project (The emergence of COllective INtentionality in participatory decision-making processes of the courts), seeks to trace the serpentine paths by which plural intentions coalesce into binding legal norms, revealing law not as a static codex but as a performative instantiation of collective cognition. Through a triangulation of textual exegesis, judicial interviews, and ethnographic observation, the project illuminates the delicate interplay between participatory democracy, collective intentionality, and the normative force of legal entities. Here, courts emerge simultaneously as laboratories and cathedrals of deliberation, spaces where the fragile architecture of shared recognition becomes visible and operative. The present reflection is less a conclusion than a prologue, an invitation to accompany law from its philosophical lexicon to its lived judicial enactment—a realm where the 'I' is constantly negotiated into the 'we', and where legitimacy is performed rather than proclaimed.

Keywords: Collective Intentionality, Participatory Democracy, Legal Ontology, Judicial Deliberation, Social Research.

Introduction

In the words of Abraham Lincoln, democracy is "government of the people, by the people, for the people" (cf. Basler, 1953, p. 238). In other words, democratic power originates from the people and must ultimately be exercised for their benefit.

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Whether one adopts a constitutional, substantive, or procedural approach (Tilly, 2007, pp. 7–9), democracy requires that authority be rooted in human agency rather than divine investiture or 'natural' privilege (Schmitt, 2012, pp. 10–45). Yet to say that power is of human origin is not to say that it is automatically democratic: it must also be exercised by the people—or at least by their representatives—and in ways that serve the people.

This brings us to the perennial problem of legitimacy in collective decision-making. Democracies demand not only valid outcomes but also procedures that appear transparent, inclusive, and accountable. In this sense, institutions such as collegial courts face this challenge acutely: their authority rests on the law, yet their legitimacy depends on how they deliberate and decide.

And here a striking gap appears. Political theory has examined parliaments and assemblies in detail (Dalla Porta, 2011), while legal theory has focused largely on the reasoning of individual judges (Levi, 1965). But we still know little about what happens inside panels, appellate benches, or constitutional courts—precisely where much of modern jurisprudence is produced.

The COIN project (The emergence of COllective INtentionality in participatory decision-making processes of the courts) was conceived precisely to address this blind spot. Its premise is simple: a collegial judgment is not a bundle of private opinions but the product of a collective we-mode. Through deliberation, persuasion, and compromise, courts generate binding norms—transforming a plurality of voices into a single institutional pronouncement.

This inquiry is more than theoretical. In times of democratic fragility and declining trust in institutions, understanding how courts construct their collective stance has become urgent. Legitimacy depends not only on what courts decide but also on how they decide. If rulings are to command respect, we must study the processes that transform disagreement into consensus—or at least into authoritative closure.

Exploring collective intentionality in courts also reshapes debates in legal theory. Instead of treating "the court" as a black box, COIN asks how individual perspectives are transformed into an institutional voice. What distinguishes a genuine judicial ruling from a mere compromise? To what extent does law itself depend on practices of shared recognition and intentionality?

Seen in a broader frame, courts are not isolated organs but crucial nodes in the democratic web. Like parliaments, they answer to two audiences at once: the internal standards of legal reasoning and the external expectations of society. This dual accountability makes the study of their collective intentionality particularly pressing.

For this reason, the project moves across disciplines. Philosophy provides the conceptual tools of intentionality; law offers the doctrinal terrain; sociology and political theory situate courts within structures of legitimacy. Only by combining these perspectives with empirical observation—through case law analysis, interviews with judges, and studies of deliberative practices—can we capture the phenomenon in its full complexity.

In the following sections, therefore, two key concepts underlying the project will be briefly introduced: participatory decision-making and collective intentionality. The article will then present in detail the methodology adopted and the specific objectives of the COIN project.

On Democracy and Participatory Decisions

The word "democracy" carries more meanings than one might readily imagine.[1] Indeed, given the multitude of definitions it has accumulated over the centuries, it is hardly surprising that some scholars treat it as what might be called an "essentially contested concept".[2] Yet, beneath these divergent interpretations, the core intuition remains strikingly simple: if we are to be governed, let it be by ourselves. As Kelsen observed, political freedom entails that we are "subject to a will, which is not, however, a foreign, but rather one's own will" (Kelsen, 2013, p. 28). From this insight arise what one might term the minimal criteria of democracy: the people as the source of authority, equal participation, and the principle of majority (Mazzocca, 2020). But minimal definitions leave much unsaid. They tell us who decides, without clarifying how decisions are shaped, or whether citizens actually experience themselves as active participants rather than passive endorsers of pre-given options.

[1] Indeed, anyone attempting a comprehensive survey of the word's usages across the centuries might be astonished to discover that democracy has been defined in no fewer than 311 distinct ways (Neass et al., 1956).

[2] In other words, a concept that exhibits the following five characteristics: "(I) it must be appraisive in the sense that it signifies or accredits some kind of valued achievement. (II) This achievement must be of an internally complex character (…). (III) Any explanation of its worth must therefore include reference to the respective contributions of its various parts or features (…). (IV) The accredited achievement must be of a kind that admits of considerable modification in the light of changing circumstances; and such modification cannot be prescribed or predicted in advance (…) [and] (V) (…) each party recognizes the fact that its own use of it is contested by those of other parties, and that each party must have at least some appreciation of the different criteria in the light of which the other parties claim to be applying the concept in question" (Gallie, 1955, pp. 171–172).

If, in classical conceptions of democracy, as Dahl (1980, p. 27) observed, the defining feature lay in the "ability of governments to continuously satisfy the preferences of citizens within a framework of political equality," the evolution of thought on participatory public decisions marks a step further: the expansion of institutional legitimacy through the inclusion and integration of multiple perspectives. In this sense, the notion of "government with the people," formulated by Vivien Schmidt (2006, p. 6), no longer appears as an abstract aspiration, but as a practice which, while idealistic, might find expression in policies not only at local or national levels but also on an international scale. It implies a radical rethinking of democracy itself, in which individual autonomy becomes inseparable from collective responsibility. To cast a vote is not necessarily to exercise agency. Participation, in a fuller sense, requires something more: not merely choosing among alternatives but helping to create them.

Here we encounter the notion of participated decisions. At first glance, the distinction may appear subtle, almost terminological, yet it carries profound implications. To "participate in a decision" is often to operate within a framework set by others: one may choose, for instance, between two referendum options but not decide what the options should be. A "participated decision," by contrast, arises when those involved are not only players in the game but also its architects, shaping the very field of possibilities (Mazzocca, 2024a, p. 129).

The difference becomes clearer if we contrast two models of deliberation. In a competitive debate, the aim is victory: one side wins because a jury, an audience, or a set of rules declares it so (Sommaggio and Tamanini, 2020). The outcome, however rational, is imposed externally, determined by an authority outside the debate itself. In participatory deliberation, by contrast, the goal is not to defeat an opponent but to generate a shared resolution. The result is binding not because it is decreed from above, but because it emerges from within, the collective product of persuasion, compromise, and shared responsibility (Mazzocca, 2024b, p. 128).

To deserve the name, then, a participated decision must go beyond aggregation. It cannot be reduced to the arithmetics of majority voting, nor to the mere synthesis of pre-fabricated positions. Rather, it requires an inclusive process in which participants can formulate proposals, test them against others, and refine them through genuine dialogue. As James Bohman (1998) has emphasized, such processes demand equality at two levels: the formal recognition of each participant, and the substantive consideration of every reason expressed.

Of course, this model is not without risks. A proliferation of individual proposals can paralyze deliberation, making consensus elusive. Conversely, small coalitions may converge on a decision that binds all but reflects only a minority. Yet

such problems are not insoluble: ranking mechanisms, preference aggregation, and incentives for dialogue among proximate positions can help transform plurality into constructive deliberation rather than fragmentation.

In this sense, participated decisions represent both an aspiration and a corrective. They embody the idea of democracy not only of the people but also with the people. They invite participants to assume responsibility for outcomes, not as passive subjects but as co-authors. And they remind us that democracy cannot be confined to procedures of periodic voting or abstract principles: it must be lived as an ongoing collective practice, where the legitimacy of power derives from the fact that its decisions are genuinely shared.

On Collective Intentionality

At first sight, the distinction between 'what there is'—ontology—and what is what there is—metaphysics—might appear to have little bearing on the legal domain. After all, the majority of philosophical inquiries undertaken by jurists over the centuries have concerned themselves with the nature of law, suggesting, perhaps, that we ought to possess a clear understanding of the difference between the law's essence and its existence. Yet, upon closer inspection, such clarity proves elusive. The legal field, habituated as it is to the dichotomy between what is and what ought to be, struggles to accommodate the subtle complexities of ontological reflection (Sinha, 1976; Bix, 2000).

One might be tempted to commence ontological inquiry at a point of seemingly universal agreement: the so-called "materiality" of law. However, an excessively materialistic approach proves woefully inadequate for capturing the full dimensionality of legal phenomena. Consider, for instance, a physical copy of the United States Constitution. One may touch it, measure it, even weigh it, yet the tangible pages in no way exhaust the abstract content of the sentences inscribed therein. When one speaks of the Constitution, one does not refer to any particular copy, but to a literary-legal work whose properties, truths, and effects are largely independent of its material instantiation. To reduce law to its paper-and-ink substrate, then, is both epistemologically impoverished and conceptually misleading.

This is not to abandon the ontological question. The task of ontology remains that of discerning what exists, or whether something—whatever we may call it—exists at all. We can, with reasonable certainty, affirm the existence of objects such as sheets of paper or individuals such as Donald Trump: these are entities whose being is largely indifferent to our beliefs or intentions. Yet the ontological status of legal entities—contracts, offices, marriages, or US presidents—cannot be appre-

hended so straightforwardly. Unlike trees or chairs, they seem to emerge not from nature, but from our human intentionality: the capacity of minds "to be about, to represent, or to stand for, things, properties and states of affairs" (Jacob, 2019).

It might be argued, therefore, that discussing the ontology or metaphysics of legal phenomena is at best curious, at worst nonsensical, for law is not a mirror of the world but a reflection of our collective legal imagination. Rules, standards, and conventions are instruments by which humans organize their social reality. While they exert practical influence over behavior, this influence is not inherent in the rule itself, but in the collective recognition and observance of the rule. Speed limits, prohibitions, and obligations do not prevent events ex ante; they exist because, once the relevant conditions occur, the community collectively regards them as binding, enforceable, and meaningful. As Zanetti (2017) observes, law governs the realm of the lawful, not the realm of the possible: events may and do occur despite legal prohibitions; legality does not alter existence, only its normative evaluation.

Herein lies the crux: legal entities exist, ontologically speaking, insofar as there is intentionality directed toward them. However, what matters is not merely individual intentionality, but collective intentionality. As John Searle remarked in an interview with Angela Condello (2017, p. 230), indeed, every legal system "will work only to the extent that it is generally accepted by the members of the community." One may be unaware of the speed limits along a certain road, yet they exist and carry normative weight precisely because the collective intentionality of the community regards them as such.

Yet collective intentionality, while necessary, is not sufficient. Legal entities are not merely social constructs; they are 'normative entities' (De Vecchi, 2012), bearers of 'deontic powers' (Searle, 2019, pp. 216–217). These powers generate reasons for action that do not depend on personal desires, inclinations, or expedience. A working agreement between a researcher and a university, for example, imposes obligations irrespective of the parties' momentary preferences. This normative character distinguishes legal entities from other intentional objects, such as artifacts or works of art. Crucially, however, no intrinsic property of paper or ink can confer these powers; their efficacy arises solely from collective recognition and the ascription of normative significance.

From the vantage of social ontology, and in particular legal ontology, entities such as contracts, marriages, presidencies, or crimes exist only to the extent that collective intentionality recognizes both their existence and their normative force. Absent this recognition, written contracts would remain mere sheets of paper, presidents would be ordinary individuals, and crimes would be no more than events in the mundane flow of the world. Legal ontology thus reminds us that

law, while manifest in the social world, is inseparable from the web of collective intentionality that sustains it. And in this sense, this interplay between collective intentionality and normative recognition reaches its most formal and concrete manifestation in the judicial arena. When individuals gather in a court, indeed, their recognition of law and legal entities is no longer merely abstract or diffuse; it becomes a structured, performative act. In particular, collective intentionality is expressed most profoundly in the deliberations of collegial courts, where judges, by virtue of their shared authority and expertise, embody both the recognition and the enactment of legal norms. Each member of the panel brings to the table their own understanding, interpretation, and judgment; yet, it is only through their concerted deliberation that a binding decision emerges, a decision that will extend its normative force beyond the chamber and into the social world at large.

Here, one observes a fascinating convergence: the abstract mechanisms of collective intentionality, which in ordinary life remain diffuse and often unarticulated, crystallize into a formalized, performative process. In a collegial court, the law is not merely interpreted—it is co-constituted by the judges' shared intentionality. The decision, whether it be a ruling on a complex contract dispute, a criminal adjudication, or a constitutional question, is not the property of any single judge. Rather, it is the product of a collective mind, an emergent entity whose authority rests on the intersubjective recognition of all its participants. The deliberation itself becomes the medium through which collective intentionality is made manifest: reasoning, argumentation, persuasion, and sometimes dissent converge, and only at the point of consensus—formal or procedural—does a legal fact come into being.

Thus, the tribunal serves as a kind of microcosm of social ontology: a space in which individual intentionality converges to instantiate legal entities, to confer deontic power, and to render norms operative in the world. In this sense, one might even suggest, with a hint of irony, that a collegial court is both a laboratory and a cathedral of collective intentionality: a space where abstract social constructs acquire tangible force, where law is not merely recognized but actively performed, and where the ontological and normative dimensions of legal entities coalesce in the solemnity of judicial deliberation.

Ultimately, it is in this crucible—the careful weighing of arguments, the negotiation of interpretive differences, the formalization of collective assent—that one perceives the full potency of collective intentionality. Law, after all, is not merely a matter of ink and paper, nor of individual cognition alone; it is the living embodiment of what a community, through structured deliberation and shared recognition, chooses to acknowledge as binding. In collegial courts, where inten-

tionality is both plural and coordinated, the law becomes a true ontological actor: simultaneously existing, normative, and efficacious—a testament to the remarkable power of human collective cognition made manifest in institutional form. And it is precisely this transformation of diffuse intentionalities into structured collective judgments that the COIN project seeks to investigate. In doing so, the project aims to illuminate how law emerges not merely as an abstract system of norms, but as the living product of shared judicial deliberation.

About the COIN Project

If the preceding reflections have shown us anything, it is that law does not live in isolation, suspended in the ether of pure abstraction, but breathes and moves through the intentionalities of those who invoke it, dispute it, and—above all—decide it. Yet, for all the philosophical ink spilled on collective intentionality, remarkably little attention has been paid to how it takes form within judicial practice. While research has often focused on legislative bodies or the psychology of the solitary judge, the dynamics of collective intentionality in courts remain largely unexplored. In this regard, recent studies show that although collective intentionality is gaining relevance in legal scholarship (Yaffe, 2017), attention has mostly centered on legislative power rather than judicial practice (Canale, 2021).

The COIN Project was born to address precisely this gap: to ask whether, how, and under what conditions courts themselves become loci of collective intentionality. This requires more than abstract reflection; it demands an encounter with courts as they are, with their cases, routines, and judges—to follow their steps, overhear their arguments, and witness how the 'I' becomes 'we' in the crucible of deliberation.

If the previous reflections have traced the conceptual horizon—participated decisions, collective intentionality, and the peculiar role of collegial courts—it is now time to descend from abstraction to method. Philosophy, after all, is condemned to sterility if it does not touch the world it seeks to illuminate. And courts, unlike Platonic forms, are not timeless entities to be contemplated at a distance: they are institutions made of people, routines, and decisions, which can be studied with the same patience with which an anthropologist studies rituals or a philologist deciphers manuscripts.

The path begins with a modest but necessary cartography. Europe is home to a bewildering variety of collegiate jurisdictions: criminal, civil, administrative; composed of three judges, five judges, or more; national, regional, even supranational. Thus, the project's first task is one of selection of the courts. This means

gathering official data, identifying the rhythms and frequencies of collegiate proceedings, and, finally, establishing the criteria that will distinguish those courts that can truly serve as laboratories of collective intentionality.

Once this terrain is mapped, the project unfolds in successive movements, each designed to approach judicial practice from a slightly different angle, so that, taken together, they form a composite image of how collective intentionality is born and sustained. The guiding principle is triangulation: to compare the texts of law (judgments), the voices of judges (interviews), and the practices of deliberation (observations). Only by weaving together these three dimensions can one hope to capture the elusive phenomenon of judicial collective intentionality.

The textual step comes first. Judgments, though polished and formal, are not mute; they contain traces of the deliberations that produced them. The choice of pronouns ('we' versus 'I'), the presence or absence of dissenting opinions, the structure of reasoning—all these are clues to how the collective mind of the court has taken shape. By subjecting a corpus of rulings to close reading, one begins to perceive recurring patterns: when is the court a unified voice, when does it fracture, and how does it present its authority to the outside world?

The dialogical step follows. Semi-structured interviews allow one to ask not only what judges decide, but how they experience the act of deciding together. Do they perceive themselves as engaged in a genuinely collective enterprise? How do they negotiate disagreement? What role do hierarchy, persuasion, and compromise play? These questions, posed with methodological rigor but also with the humility of genuine listening, aim to reveal the texture of judicial intentionality as it is lived.

Whenever access permits, the project seeks to complement texts and voices with observations of judicial life: not the secret deliberations themselves (which remain inaccessible in most systems), but the broader practices that surround them—hearings, conferences, informal exchanges. Like the anthropologist in the field, the researcher adopts a stance of attentive presence, noting gestures, rhythms, and routines that rarely find their way into written judgments.

Data from judgments, interviews, and observations are then carefully organized, coded, and compared. The aim is not statistical generalization but conceptual illumination: to see how the philosophical category of collective intentionality is instantiated, resisted, or transformed in the actual practice of courts.

Finally, just as courts achieve legitimacy through the interplay of voices, the project itself pursues validity through dialogue: preliminary findings will be subjected to peer review, discussed in workshops, and shared with both academic and judicial audiences. This recursive process mirrors the very phenomenon it studies: collective intentionality taking form through critique, correction, and recognition.

In sum, the COIN project is not merely a research plan but an attempt to illuminate what is too often hidden: the moment when individual intentionalities, sometimes discordant, crystallize into the institutional voice of the law. If law is, as we have argued, a creature of collective intentionality, then the collegiate court is its most solemn theatre. Here, behind closed doors, the drama of the 'I' and the 'we' is played out in miniature, producing judgments that shape the lives of millions. To study this drama is to come closer to the very heart of democracy, where power is exercised not by individuals but by a chorus that must somehow sing in unison.

The COIN project unfolds in successive movements, each designed to approach judicial practice from a slightly different angle, so that, taken together, they form a composite image of how collective intentionality is born and sustained. The guiding principle is triangulation: to compare the texts of law (judgments), the voices of judges (interviews), and the practices of deliberation (observations). Only by weaving together these three dimensions can one hope to capture the elusive phenomenon of judicial collective intentionality.

The first step is cartographic: identifying which courts and which cases can serve as the theatre of inquiry. Europe, with its multitude of legal systems, offers a veritable forest of possibilities. One must therefore select carefully, distinguishing between jurisdictions where collective deliberation is a routine (for example, appellate benches or constitutional courts) and those where it is episodic. Official statistics, institutional reports, and doctrinal commentary provide the initial compass, allowing the researcher to narrow the field to a manageable set of courts where the dynamics of 'we-deciding' are most visible.

The second step is textual. Judgments, though polished and formal, are not mute; they contain traces of the deliberations that produced them. The choice of pronouns ('we' versus 'I'), the presence or absence of dissenting opinions, the structure of reasoning – all these are clues to how the collective mind of the court has taken shape. By subjecting a corpus of rulings to close reading, one begins to perceive recurring patterns: when is the court a unified voice, when does it fracture, and how does it present its authority to the outside world? Such analysis cannot reconstruct deliberation in full, but it prepares the ground for a more intimate encounter with those who deliberate.

The third step is dialogical: interviewing judges. Here, the project moves from texts to living speech, from the public façade of rulings to the private reflections of those who authored them. Semi-structured interviews—i.e. "conversation with a purpose" (Burgess, 1984, p. 102)—allow one to ask not only what judges decide, but how they experience the act of deciding together. Do they perceive themselves

as engaged in a genuinely collective enterprise? How do they negotiate disagreement? What role do hierarchy, persuasion, and compromise play? These questions, posed with methodological rigor but also with the humility of genuine listening, aim to reveal the texture of judicial intentionality as it is lived.

The fourth step is observational. Whenever access permits, the project seeks to witness judicial life directly: not the secret deliberations themselves (which remain inaccessible in most systems), but the broader practices that surround them—hearings, conferences, informal exchanges. Like the anthropologist in the field, the researcher here adopts a stance of attentive presence, noting gestures, rhythms, and routines that rarely find their way into written judgments. Such observations, modest in scope but rich in implication, help to situate collective intentionality within the daily ecology of judicial work.

The fifth step is analytic and synthetic. Data from judgments, interviews, and observations must be carefully organized, compared, and interpreted. Here the project adopts qualitative methods: coding transcripts, identifying thematic clusters, and tracing correlations across different sources. The aim is not statistical generalization but conceptual illumination: to see how the philosophical category of collective intentionality is instantiated, resisted, or transformed in the actual practice of courts.

Finally, the sixth step is reflexive and communicative. Research, like judicial deliberation, is a collective enterprise. Preliminary findings will be subjected to peer review, discussed in workshops, and shared with both academic and judicial audiences. This recursive dialogue is not ancillary but constitutive of the project: just as courts reach legitimacy through collective recognition, so too research gains authority through critique, correction, and shared understanding.

In sum, the COIN project is structured not as a linear progression but as a spiral: each movement—selection, analysis, dialogue, observation, synthesis, reflection—returns to the same central question from a slightly different angle. What emerges, if the wager succeeds, is a portrait of collective intentionality not as a metaphysical curiosity but as a lived practice: fragile, complex, yet indispensable to the legitimacy of democratic law.

Conclusions

Concluding is always risky. To conclude is to draw boundaries, to close doors, to turn an itinerary of questions into the semblance of an answer. Yet in democracy, law, and collective intentionality, closure is rarely final—and often premature. This article does not offer definitive solutions. It sketches a conceptual landscape

where democracy, participated decisions, and collective intentionality intersect, intertwining in ways that resist simple resolution.

I have moved across terrains that philosophers, jurists, and sociologists usually explore separately: from the fragile architecture of participatory democracy to the inner workings of collegial courts, from the ontology of contracts and constitutions to the lived experience of judicial deliberation. These paths spiral rather than run straight, reflecting the reality that no single perspective can fully illuminate law as a collective, normative, and social phenomenon.

This text is not self-contained. It is a prologue to a larger empirical inquiry: the COIN project, still underway. The reflections here are scaffolds, intellectual anticipations—hypotheses awaiting the test of empirical investigation. Philosophy provides the lexicon, but it is the encounter with judicial practice—the close reading of judgments, the attentive listening to judges, the patient observation of routines—that will give these notions substance.

What I have presented is, in a sense, the *ars inveniendi*. What remains is the *ars iudicandi*. Philosophy shows that legitimacy cannot be reduced to procedure, that law is more than a codex of rules: it is sustained by collective intentionality. Only the analysis of real courts—the laboratories where plural voices are distilled into binding pronouncements—can confirm whether these hypotheses illuminate or mislead.

Think of these pages not as conclusions but as thresholds. When the project concludes, a subsequent article will move from speculation to materiality: judgments showing traces of collective authorship, interviews in which judges recount their experience of 'we-deciding', and observations of practices that, though marginal, shape the very possibility of consensus. Only then can the triangulation that underpins COIN emerge: philosophy as conceptual grammar, sociology as empirical anchor, and jurisprudence as normative horizon.

This project is not a closed system. To ask whether a collegial court truly embodies collective intentionality is to reopen perennial questions about democracy, the ontology of legal entities, and the fragile legitimacy of institutions. If, as said at the beginning of this work, democracy is the government of the people, by the people, for the people, then collegial courts—those chambers where the 'I' and the 'we' are negotiated in slow, solemn ritual—represent one of its most delicate experiments.

So, this text ends where it must begin: with provisionality. I have outlined a labyrinth with no mapped exit, for the exit depends on data still to be gathered, coded, and interpreted. What I can say is that the path, however winding, is necessary. Only by tracing intentionality from theory to practice can we see law, in

its judicial form, as not merely an abstract norm but a living product of human collectivity.

These conclusions are not final. They are an invitation to pause, reflect, and follow the project from hypothesis to evidence. When the data are finally in, when judges' words and courts' practices are woven into a tapestry of findings, perhaps we will discover that the unity of philosophy, law, and sociology—so arduously invoked—was not a chimera, but the hidden architecture of the democratic drama itself. Until then, the last word remains unwritten. And rightly so.

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