

DIGNITY IN THE LEGAL AND POLITICAL PHILOSOPHY OF RONALD DWORKIN, (2018) edited by Salman Khurshid, Lokendra Malik & Veronica Rodriguez – Blanco, Oxford University Press, New Delhi, Price Rs. 995.

Ronald Dworkin, who lived in our midst from 1931 to 2013, has undoubtedly been the foremost legal thinker of our time. Any amount of literature may be produced to commemorate and critically examine his contribution to law and legal philosophy. He moved us away from the influence of legal positivism which continued to be dominant even in its modified version in H.L.A. Hart. Dworkin coloured legal philosophy with Kantian principles of morality and ethics and thus acquired a prominent place among the neo-Kantian legal thinkers. Human dignity, which was central to Kant's *Critique of Pure Reason*, became the central point of Dworkin's writings too with his growing years as is clearly visible in his last major work *Justice for Hedgehogs* (2011) where he describes the place of dignity in law and legal philosophy most vividly. The editors of this book have therefore for all the good reasons titled the book as *Dignity in the Legal and Political Philosophy of Ronald Dworkin*, although all the essays in the book are not devoted exclusively to the theme of dignity.

Besides having a Foreword by John Finnis extolling Dworkin's application of dignity to the concept of equality, Lokendra Malik as one of the editors, gives a comprehensive account of Dworkin's life and works as well as the other editor, Veronica, introduces the readers to the various essays on Dworkin's contribution to legal theory, primarily through the concept of dignity but also by other associated issues and concerns expressed inter alia by her as well as by her co-editor, Salman Khurshid. The book consists of 18 essays out of which as many as eight are expressly devoted to the issue of dignity. To these essays Justice A.K. Sikri, a sitting judge of the Supreme Court of India, adds a long afterword in which besides paying some attention to Dworkin's interpretative techniques and decisions in hard cases, he also discusses in detail Dworkin's concept of human dignity and its application in several Indian Supreme Court cases including a few decided by benches consisting of himself in some of which he wrote a separate opinion using primarily Dworkin's concept of human dignity.

The editors have divided the eighteen essays in the book into four parts, of which Part I titled Integrity, Values, Interpretation, and Objectivity consists of six essays of which except one none talks of dignity. They are rather concentrated on wider legal concerns expressed by Dworkin in his lifetime as indicated in the title of this part. No doubt they constitute as the foundation of Dworkin's vast empire of law of which dignity is the final destination. Part II of the book talks specifically of the main theme of the book i.e. the dignity, responsibility and free will which discusses somewhat complex relationship of dignity with the other two values. Part III of the book consists of essays focusing on "Freedom of speech, Right to Privacy, and Human Rights dimension

and the authors discuss Dworkin's philosophical framework and the interpretative methodology with respect to the above issues. The final part titled "Dignity, Constitutions, and Legal Systems" critically examines Dworkin's interpretative methodology for interpreting laws and the constitutions.

These essays, written by well-known scholars, most of whom have either worked with Dworkin or have been his students or both as is the case to my knowledge of one of the editors – Salman Khurshid, are a great learning experience both in the exposition of Dworkin's law's as well as philosophical empire and the techniques he developed for the interpretation and application of law for dignified living. They need to be read time and again to understand Dworkin's legal and philosophical dimensions amongst which dignity was the foremost. Of course not all these essays are having the inimitable elegance of ideas and simplicity of language as in the writings of Dworkin, but they are of great help in understanding the depth and complexities of Dworkin's various ideas expressed in imitable simple language and propositions. Dworkin discusses dignity as a concept as well as its application in great details in *Justice for Hedgehogs* as well as distinguishes it from morality in a very distinct manner by telling us that while morality is other regarding dignity is self-regarding and therefore dignity implies individual autonomy which every individual must be capable of enjoying the way one wants to enjoy it. Normally dignity or dignified life implies living well. But one may also choose a wrong path and may not live well. Therefore, Dworkin introduced two principles for living well of which the first is the principle of self-respect which requires to take one's life seriously while the other is the principle of authenticity that requires taking responsible decisions about oneself for success in life. It is in this sense that Dworkin tells us that dignity requires self-respect and authenticity.

People may disagree with Dworkin's idea of dignity and good life or living well, and some of the authors of the essays collected in this volume do that with a view to carry forward Dworkin's idea or to making it easily graspable and practical but also with a view to take it forward by adding any new ideas to it. In any case Dworkin's lifelong engagement was in the utilisation of law and legal system for ensuring human dignity which is the foundation of all rights and liberties of all people in all societies for ensuring peace and progress to each and every member of every society. Any engagement with his ideas is a service to the society and each one of its members and therefore those ideas must be told and propagated time and again as widely as possible with such modifications as become obvious with the passage of time. I hope this book will be widely read not only by lawyers and law students but by everyone who is interested in good life for oneself and for the society.

*M.P. Singh\**

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\* Emeritus Professor of Law, University of Delhi