

Dragica Vujadinović, LL.M, PhD

Full Professor,
University of Belgrade Law Faculty

PHILOSOPHICAL FOUNDATIONS OF DWORKIN'S THEORY OF JUSTICE

Ronald Dworkin, together with John Rawls, has had a central role in renovating political philosophy in the second half of the 20th century, through thematizing liberal theories of justice. Rawls' conception of "justice as fairness" is centered on the concept of liberty, while Dworkin's conception of justice as "equality of resources" is centered on the concept of equality.

The long and distinguished career of Ronald Dworkin – as an academic lawyer and political philosopher – has been designed and designated by the attempt to show how an egalitarian vision of the world can shape the character of liberal-democratic legal, political, social, and market institutions. Dworkin tends to reaffirm the value of equality within the framework of contemporary liberal political philosophy.

In a process of developing his political philosophy systematically, i.e. the theory of justice called an "equality of resources" account of justice; Dworkin also made attempts to outline – but still not to articulate in a systematic way – the philosophical foundations (ethical, gnoseological, epistemological) of his theory of justice. His liberal theory of justice is supposed and proposed to be further developed and surrounded by the subsequent systematical articulation of these philosophical foundations.

This text attempts to reconstruct from Dworkin's previous work the philosophical foundations of his theory of justice.

Key words: *Political Morality. – Equal Importance. – Individual Responsibility. – Liberal Ethics. – Integrity of Fundamental Human Values.*

1. INTRODUCTION

Ronald Dworkin, one of the greatest contemporary political and legal philosophers, started firstly developing his comprehensive theory of the central position of the concept of equality in the field of philosophy of law¹, followed by developing a liberal political theory of justice², and finally through attempting to clarify philosophical foundations³ of this political theory.

Dworkin develops his own conception of liberalism called “liberal equality” focused on an “equality of resources” account of justice. His theory affirms the central role of the political ideal of equality, i.e. “equal concern.”

Equality represents the main political value for Dworkin. According to him, and in contrast with “the old rights” giving of priority to the value of freedom (followed by material inequality), as well as with “the old left’s” giving of priority to the value of equality (of material wealth), the idea or ideal of liberal equality contains inseparable values of both freedom and equality, giving special priority to the value of equality.

His consideration that the value of equality is an “endangered species” in the contemporary liberal tradition should be primarily connected

¹ R. Dworkin, *Taking Rights Seriously*, Gerald Duckworth & Co Ltd, London 1977; R. Dworkin, *A Matter of Principle*, Harvard University Press, Cambridge, Massachusetts 1985; R. Dworkin, *Law's Empire*, Harvard University Press, Cambridge, Massachusetts 1986. Dworkin turned back again to the field of jurisprudence with his last book *Justice in Robes*, Harvard University Press, Cambridge, Massachusetts 2006.

² Dworkin has collected all the articles concerned with his liberal political theory of justice, which he had written during the previous twenty years, in his book *Sovereign Virtue – the Theory and Practice of Equality*, Harvard University Press, Cambridge, Massachusetts / London, England 2000.

³ A philosophical conception of morality (a philosophical ethics concerned with the fundamental values of humanism) has been initially articulated in Dworkin’s manuscript “Justice for Hedgehogs”: (Available from <http://www.nyu.edu> Accessed August 26, 1999), and also in the introduction to *Sovereign Virtue* (2000).

Philosophical ethics and moral foundations of liberalism and their interconnections with (the pluralism of) individual ethics are presented in his “Foundations of Liberal Equality” (1990).

The axiological/gnoseological conception of the status and the integrity of values is elaborated in “The Foundations of Liberal Equality”, in “Justice for Hedgehogs” and in the article “Interpretation, Morality and Truth”, <http://www.law.nyu.edu/clppt/program2002/readings/dworkin/dworkin.doc>, Accessed 2002.

The epistemological explanation of objective truth in the field of values is given in the article, “Objectivity and Truth: You’d Better Believe It”, *Philosophy & Public Affairs* 25, 1996. As well as in the above mentioned article “Interpretation, Morality and Truth” (2002).

with the issues of economic inequality. He believes that economic inequality has been totally marginalized, but he also believes that the norms of moral equality (that all people have equal moral worth) and of political equality (that all people have a right to participate in democratic decision-making) have become stronger than ever.⁴

Dworkin's political theory of justice presupposes that the concept of equality means "equal concern." According to him, "equal concern" is the sovereign virtue of political communities, and finds its concrete articulation in the "equality of resources" account of justice.

The "equality of resources" account of justice represents Dworkin's attempt to articulate a redistributive scheme concerned with economic resources, which will be more "endowment insensitive" and at the same time more "ambition-sensitive" than has been offered by John Rawls' theory of justice⁵, and especially by his "difference principle." The point is that equal concern would mean an equal share of economic resources if it were not dependant on morally irrelevant circumstances, and preferably dependant on individual choices.⁶ In order to attain these twin goals in a way better than Rawls had managed, Dworkin constructs his own rather complicated distributive scheme, which involves, in the context of a free market, the use of auctions, insurance plans and taxation.⁷

An egalitarian theory of justice presupposes specific conception of liberalism: form of liberalism based on equality, assuming neutrality of the state only as a derivative value, and "strategy of continuity" between political morality (the theory of justice and liberal ethics), on one side and individual ethics (value pluralism), on another. On the other hand, the contrary theory of (procedural) justice, which affirms the centrality of the ideal of liberty, presupposes a "strategy of discontinuity" between justice (political morality) and pluralism of individual ethics.

The point of difference between these two versions of liberalism is that liberalism based on neutrality finds an epistemological defense in moral skepticism and therefore means a negative for uncommitted people

⁴ Dworkin, (2000), 3.

⁵ J. Rawls, *Theory of Justice*, Harvard University Press, Cambridge, Massachusetts 1999.

⁶ Dworkin differentiates between a person's mental and physical powers, which he assigns to the sphere of unequal natural endowment, undeserved inequalities (circumstances), and a person's tastes and ambitions, which he assigns to the sphere of personal choice. Thus, as a consequence, personal physical and mental powers should not influence the equality of resources, being morally arbitrary characteristics. While belonging to one's "natural endowment" and, according to the requirement for "endowment insensitive" redistribution, they should be equalized in order to enable an equal share. *Ibid.* 3–4.

⁷ *Ibid.*

and cannot offer any justification for common goals (justice, political morality, and liberal ethics) and against economic inequalities and other privileges. In contrast, liberalism based on equality rests on a positive commitment connected with an egalitarian morality (liberal ethics).⁸

Dworkin aims to reaffirm/redemthe moral foundations, utopian character and mobilizing force of liberalism.⁹

In an attempt to demonstrate the substantial (not only the procedural) connection between his liberal (egalitarian) theory of justice (political morality) and individualistic value pluralism in liberal society, Dworkin makes an additional theoretical effort to demonstrate the philosophical foundations of his liberal theory of justice.

2. THE PHILOSOPHICAL FOUNDATIONS OF POLITICAL MORALITY

In the last phase of elaborating his theory of equality and liberalism, Dworkin pays attention to the philosophical foundations of his theory of justice and liberalism. In that context he mentions philosophical ethics and philosophical morality, the philosophical/axiological account of the status and integrity of values, and epistemological conception of objective truth in the field of values (the “face value view of morality”).

In the Introduction to *Sovereign Virtue* Dworkin says that he plans to introduce a more philosophical level of the argument concerned with theory of justice in a later book. According to him, the theory of political morality, which has been developed in this book, should be located in a more general account of human values of ethics and morality, of the status and integrity of value, and of the character and possibility of objective truth.¹⁰

This is all in accordance with his distinction between a philosophical perspective and a political perspective.¹¹ According to Dworkin, a comprehensive and plausible liberal theory (“political perspective”) has to be based on the following “philosophical perspective”: firstly, it has to reflect basic commitments for the value of human life and about each person’s responsibility to realize that value in their own life, i.e. the two principles of ethical individualism. Secondly, it has to show that the central political values of democracy, liberty, civil society, and equality have the status of something good, and also are mutually integrated (growing

⁸ R. Dworkin, (1985), 205. He went on to develop the ‘strategy of continuity’ in his articles, manuscripts, and books written after 1985 (1990, 1999, 2000, and 2002).

⁹ R. Dworkin, (1990).

¹⁰ R. Dworkin, (2000), 4.

¹¹ R. Dworkin, (1990).

out of and reflecting in all others in a sense which does not mean their simple compatibility, but their inner indivisibility). Thirdly, it has to show that central political values have the status of objective truth in the framework of “the face value view of morality.”

2.1. Ethical Individualism – Two Cardinal Values of Humanism

The philosophical/moral perspective contains, according to Dworkin, a diversity of general ideas about whether and why human life has value and how that value is to be realized. Philosophical/moral foundations of liberalism are connected by two cardinal values of humanism, and they represent a philosophical/moral basis of both liberalism (philosophical morality, liberal ethics) and of individual ethics` pluralism.

A note about Dworkin`s terminology should be added¹²: he uses the term “ethics” in a broader and narrower sense. In its broad sense ethics means *morality* and refers to the overall art of living, to the study of right and wrong actions, to the question how we should treat others. Ethics in its narrow sense is concerned with individual ethics, or, more precisely, with the question of well-being, i.e. the question of how we should live to make good lives for us (in short – how to live well). In the context of well-being, Dworkin makes a difference between “critical well-being” and “volitional well-being.”

There are philosophical/moral foundations of liberalism at different levels: firstly, the most abstract one is concerned with two cardinal values, secondly, philosophical/liberal morality (he also calls it liberal ethics), and thirdly, individual ethics connected with critical well-being.

Two principles of “ethical individualism,” according to Dworkin, are fundamental for his conception of liberalism, i.e. for his account of equality or of “equal concern.” It could be said that these principles follow the fundamental premise of the liberal tradition, the natural freedom and equality of all individuals.

The most abstract account of equality (or of justice), which is called “equal concern” as the sovereign virtue of political community – has had, on one hand, its first-level-explication at the level of material resources called “equality of resources.” On the other hand, at a more basic level, “equal concern” and “equality of resources” have their philosophical foundations in two cardinal values of humanism.

As aforementioned, a comprehensive liberal theory is based, or should be based, on the two principles of ethical individualism. The first principle of ethical individualism is the principle of equal importance, and the second is the principle of individual responsibility.

The principle of special responsibility is centred on an individual`s responsibility for thier own life choices, for deciding what would count as

¹² *Ibid.* 8–9.

a successful or damaged life within whatever range of choices have been permitted by their resources and culture.¹³ According to Dworkin, the responsibility principle does not mean that people do not have to care about other people and that they can do whatever they wish. His interpretation of special responsibility for success in our individual lives has been further developed in a sense that it has to be considered not only from the point of our opportunities and resources, but also from the point of necessary collectively-made decisions about what resources and opportunities will, in fact, be open to us. Consequently, individual responsibility concerns also collective decisions by taking into account the opportunity costs which our choices have for the other participants in the “auction” (fair distribution of resources).

This also has been treated as an inner connection between justice and individual ethics in Dworkin’s attempts to elaborate moral foundations of liberalism¹⁴, as well as in the context of his assumption that democratic order is best fitted for realizing the ethical principles of equal importance and special responsibility and the basic political principle of equal concern. There is an inner connection between the institutional question and the ethical question.¹⁵

Equal importance “...attaches not to any property of people but to the importance that their lives come to something rather than being wasted.”¹⁶ According to Dworkin, it is not part of the meaning of this principle that each of us has an obligation to act in such a way as to improve the average happiness or well-being in the world, or to help the worst off before the better off, rather part of the meaning is to care about others, not to be indifferent, and also to show preference in paying attention or distributing our resources for those people close and special to us.

Dworkin’s interpretation of the principle of equal importance is most centred upon an equal concern of sovereign power for its citizens.

Dworkin concludes – on the basis of the foundational principles of humanism (ethical individualism) – that “equal concern... is the special and indispensable virtue of sovereigns.”¹⁷ In other words, “equal concern is the sovereign virtue of political community.”¹⁸

¹³ R. Dworkin, (2000), 6.

¹⁴ R. Dworkin, (1990).

¹⁵ R. Dworkin, (1990, 2000).

¹⁶ R. Dworkin, (2000), 6.

¹⁷ “The first principle requires government to adopt laws and policies that insure that its citizens’ fates are, so far as government can achieve this, insensitive to who otherwise they are – their economic backgrounds, gender, race, or particular sets of skills and handicaps. The second principle demands that government work, again so far as it can achieve this, to make their fates sensitive to the choices they have made.” (*Ibid.*)

¹⁸ *Ibid.* 1.

These two principles – the principle of equal importance and the principle of individual responsibility – have to act in concert; they ensure that the sovereign is concerned equally with each citizen and, at the same time, leave space for personal decisions and life choices.

These two principles are the foundation of Dworkin's political philosophy. They represent the moral basis of his conception of "liberal equality" and consequently the moral basis of politics. They endow the political theory of liberalism with the twin characteristics of equality and liberty, of egalitarian and collective principles, along with the principle of individual responsibility.

Dworkin intends to achieve a unified account of equality and responsibility that respects both, instead of, and in contrast to, giving priority either to equality or to responsibility.

2.1.1. Liberty and Equality

On the basis of the above-mentioned principles, Dworkin assumes that his theory of political morality reflects even more basic commitments about the value of a human life and about each person's responsibility to realize the value of their own life. In that attempt, he takes a path contrary to Isaiah Berlin's assumption that equality and liberty have been in dramatic conflict and also contrary to John Rawls' attempt to insulate political morality from the ethical assumptions of individuals about the sense of a good life. For Dworkin, equality and liberty are inseparable value, and political morality is not based in any anonymous and hypothetical contract, but rather in more general ethical values concerned with the value of life and individual responsibility for a personal life.¹⁹

2.2. Moral Foundations of Liberalism

The moral foundations of liberalism have been built in accordance with Dworkin's "strategy of continuity" between political morality ("political perspective", the liberal account of justice as "equality of resources") and philosophical morality ("philosophical perspective" – two fundamental values of humanism, liberal ethics – followed by a "challenge model of ethics" and individual ethics – attached to "critical well-being").²⁰

¹⁹ *Ibid.* 5.

²⁰ The theory of justice demands neutrality of the state: but there are two conceptions of the relation between political morality, individual ethics, and the neutrality of the state. The first is called the "strategy of discontinuity", in which the neutrality of the state is a fundamental principle and justice matters only in the form of procedures concerned with neutral institutional regulations, having nothing to do with individual value orientations and with the common good. The state does not and must not concern itself with individual ethics (with individual value-concepts of the good). The second is called the

Liberal ethics must be abstract, and not absorbable by different individual ethical convictions. Abstract liberal ethics require that individuals “test their concrete opinions in a certain light.” Liberal ethics have to be concerned with the sense of good life, with abstract issues such as the following: What is the source of questions about ethics? Why should we worry about how to live? Whose responsibility is it to make lives good? What is the measure of a good life?

Dworkin says that two fundamental principles of humanism (the principle of equal importance and that of special responsibility) offer attractive answers to the first two questions of source and responsibility.

Response to the question: “Whose responsibility is it to make our lives good?” is connected to his statement that justice is the sovereign virtue of a political community, as justice is a parameter of individual ethics.

Dworkin answers the question concerned with the measure of a good life by elaborating on a “challenge model of ethics” – as opposed to an “impact model of ethics” – as well as by differentiating between critical well-being and volitional well-being, and between the critical self-interests of individuals and their volitional self-interests. The point is that there are not only egoistic self-interests, but also those which make for an inner connection between just acts and a critically better life. Critical well-being and critical self-interests lead towards accepting justice as the parameter of individual ethics. This means that critical well-being supposes taking into individual value consideration of what would be, generally speaking, a better life.²¹

A “challenge model of ethics,” which adopts Aristotle’s view that a good life has the inherent value of a skilful performance, offers space for

“strategy of continuity”, according to which the neutrality of the state is a derived principle. In this case the connection between the common good, value pluralism of individual conceptions of the good life and justice has been an internal one. While the “strategy of continuity” implies that the neutrality of the state can be compatible with the perfectionist demand that the state concern itself with the common good as well as with individual value-conceptions of the good, the “strategy of discontinuity” implies an incompatibility between political morality and perfectionist ethics.. The above-mentioned two conceptions essentially result in two different designs of liberalism. (See: Dworkin, 1990, 2000)

²¹ “We must recognize, first, a distinction between what I shall call volitional well-being, on the one hand, and critical well-being on the other. Someone’s volitional well-being is improved, and just for that reason, when he has and achieves what in fact he wants. His critical well-being is improved by his having or achieving what he *should* want, that is, the achievements or experiences that it would make his life worse or *not* to want.... [Our] project of finding a liberal ethics as a foundation for liberal politics must concentrate on critical as distinct from volitional well-being. We need an account of what people’s critical interests are that will show why people who accept that account and care about their own and other people’s critical well-being will be led naturally towards some form of liberal policy and practice.” R. Dworkin, (1990), 42, 46.

convictions about the critical interests of individuals, doing their best to successfully meet challenges which they face in order to make their life better and also to connect the parameters of challenge and of skilful performance with their own culture and other circumstances.²²

Living well is seen as responding appropriately to one's situation. This is the field where the main political values of liberalism and abstract liberal ethics and concrete individual value orientations (critical interests, critical well-being, and the challenge model of ethics) mutually encounter one another. Dworkin says: "Political principles are normative in the way critical interests are: the former define the political community we should have, the latter how we should live in it. Our search for ethical foundations is therefore a search for normative integrity."²³

2.2.1. *Concept of the Neutrality of State*

As above mentioned, Dworkin's theory of justice, i.e. the "strategy of continuity" presupposes neutrality of the state not as the foundational principle, but only as the derivative.

Neutrality is a part of the argument concerned with the feasibility of moral equality. The question is how the state can be legitimate in the context of moral equality and the answer is that neutrality is the tool. A restricted conception of neutrality means that in spite of the pluralism of individual conceptions of a good life (or in other words, mutually conflicting individual value orientations) there are more basic ethical values which are widely shared, do not contradict the neutrality of the state, represent the common ethical background of individual choices, and enable a widely-shared moral commitment to liberal politics.²⁴

There are important indications²⁵ that Dworkin changed some crucial standpoints concerned with the concept of neutrality with the passage of time. At the beginning Dworkin developed (like Rawls, although contrasting with Rawls' contractarianism) his concept of justice as being connected with an assumption of the neutrality of the state as a foundational principle. This was followed by the "strategy of discontinuity" between political morality and individual ethics (value pluralism). Dworkin in his later works steps aside from treating the principle of neutrality as a foundational one and attempts to develop the "strategy of continuity" between a theory of justice and a theory of ethics and morality.

²² *Ibid*, (57–65).

²³ R. Dworkin, (2000), 245.

²⁴ "Liberalism can and should be neutral at some, relatively concrete, levels of ethics. But it cannot and should not be neutral at the more abstract levels at which we puzzle, not about how to live in detail, but about the character, force, and standing of the very question of how to live." (R. Dworkin, 2000, 240)

²⁵ R. Dworkin, (1990), 7; (1995), 205.

The concept of tolerance takes on different connotation in the light of the above-mentioned restricted neutrality of the state and (abstract) liberal ethics. Tolerance does not mean – as in the context of the “strategy of discontinuity” – that political morality is divided from ethical convictions, but rather that liberal ethics affirm certain fundamental moral and political values, while at the same time affirm tolerance among mutually different or even conflicting individual moral convictions.²⁶

2.3. Status and Integrity of Values

As mentioned above, Dworkin has attempted – after developing a political theory of morality in *Sovereign Virtue* – to articulate the ethical, axiological and epistemological foundations (philosophical perspective) of his theory of justice (political perspective). His axiological attempt aims at locating his theory of political morality “in a more general account of the human values, ...of the status and integrity of value.”²⁷

Relevant human values in this context are those concerned with political morality, which identify a legitimate and attractive state – one that is democratic, which respects liberty, realizes a just distribution of property and opportunity, and provides an attractive civil society. His more general account of relevant political values, such as democracy, equality, liberty, community, and justice, aims for an axiological account of their status and mutual integrity.²⁸

Dworkin provides specific interpretations of main liberal political ideals, i.e. his notion of the concepts democracy, equality, and liberty: “Democracy does not mean majority rule but rather collective government by a partnership in which all citizens are full and equal partners, which is something different. Equality does not mean aiming to make people equal in any property, like happiness or wealth, but rather aiming to make them equal in the costs their choices imposes on others. Liberty is not the power to do what you want free from the interference of others, but to do what you want, free from such interference, with property and opportunities that are rightfully yours.”²⁹

Dworkin says that his understanding of the above-mentioned concepts has to pass two tests. The first test demands that in each case there must be a particular kind of reflexive equilibrium within the boundaries of the concept itself. On the one hand, the conception of some ideal must keep enough faith in our prior convictions (value judgments based on the ideal in question). On the other hand, our conception of this ideal (cardi-

²⁶ R. Dworkin, (1990), 22.

²⁷ R. Dworkin, (1999), 1.

²⁸ *Ibid.*

²⁹ *Ibid.* 2.

nal political value) must show why the ideal embedded in the concept, of which these convictions (value judgments) are instances, “is something *good*”. The second test demands an overwhelming endeavour to achieve harmony between our value concepts and judgments and to ensure that “... the system of these political values make sense from the perspective of our philosophical ethics: our more general ideas about whether and why human life has value and how that value is to be realized.”³⁰ At this level of axiological analysis Dworkin names the first test of finding the reflexive equilibrium inside each political value as the “test of interpretative justification” and the second test of the harmonious interpretation of all our relevant political values as mutually indivisible and essentially interconnected as the “test of interpretative integrity across our concepts.”

Dworkin assumes that the integrity of main political ideals (values) is the heart and essence of liberalism: “Liberalism is special and exciting because it insists that liberty, equality, and community are not three distinct and often conflicting political virtues, as other political theories both on the left and right of liberalism regard them, but complementary aspects of a single political vision, so that we cannot secure or even understand any one of these three political ideals independently of the other.”³¹

These two tests are supposed to show how each of our main political values separated, as well as all of them together are *good*, while expressing the two fundamental values of humanism – equal importance and special responsibility – and more generally, the value of human life and the ways of its realization. The above-mentioned axiological position aims at interconnecting a philosophical perspective (philosophical ethics) and a political perspective (political morality). In other words, it aims at articulating the moral foundations of liberalism.

Dworkin speaks about interpretative justification and interpretative integrity in relation to these main political concepts – democracy, equality, liberty and community, as well as the more abstract concept of political morality (justice) – as “*interpretative* concepts.” In this respect he creates a distinction between “*critical* concepts” and “*interpretative* concepts.” Critical concepts are shared among people “...in virtue of sharing some rule about the criteria for their correct application. We share rules setting out the criteria for identifying something as a book or table, for example, or a mammal or arthritis”. These are concepts in respect of which there are no possible genuine disagreements. In contrast, in the case of interpretative concepts genuine disagreements are possible because “...we share these concepts not in virtue of sharing rules about the

³⁰ *Ibid.* 3.

³¹ R. Dworkin, (1990), 2.

criteria for their correct application, but in virtue of agreeing that they name a real or supposed value, and that their correct application turns on the question of what that value, more explicitly stated and understood, really is.”³²

Therefore, concepts of justice, equality, liberty and so on impose the need for discourse about values, for juxtaposing different value interpretations, their confrontation with previous convictions and widely accepted intuitions about their meaning, attempting to get as a result a reflexive equilibrium and integrity of the main values of political morality.

One of Dworkin’s main points is that the concept of justice cannot be interpreted as procedural or criterial (because there are no shared rules for its application), but as an interpretative concept. Justice, together with equality, liberty and community, should be reconsidered from the standpoint of finding out what is good about these concepts, capturing the value of these political ideals. Disagreements concerned with interpretative concepts such as justice, or with the question what is just, or why something is just or unjust, are based on conflictive judgments that count as substantive moral (value) arguments.

2.3.1. “Democratic Dilemma”

Dworkin links his conception of justice with the “democratic dilemma” and by attempting to achieve not just consensus, which is unattainable, but also sufficient popularity of the democratic order to solve this “dilemma.”

“Democratic dilemma” and the real chances for solving it are connected with the fact that although people disagree, fundamentally and radically, about religion, ethics, and all other dimensions of value, two cardinal values of humanism have been widely shared among the people. This implicitly means that liberal ethics (the “challenge model”) and individual’s ethics (the “critical well-being”) have been determined by the principle of “equal concern.” Dworkin insists on reaffirming and redeeming liberal political values and democratic order as the best framework for realizing two fundamental human values.

Dworkin believes that sufficient popularity of democratic order could be achieved with insisting not on what divides us but on what connects us. He expresses his belief that two cardinal values of humanism, captured in the principle of equal importance and the principle of special responsibility, have been widely shared among us in spite of our more concrete ethical and religious disagreements (and in spite of the “endangered” status of the value of justice). These cardinal values have come to be settled in the foundations of our fundamental political values in a sense

³² R. Dworkin, (1999), 4.

of their being something *good*. This contributes essentially to their being treated as interpretative concepts, as well as to the affirmation of the integrity of these fundamental political values. Ultimately, they lend plausibility to the concept of democracy, making for the popularity of the democratic order as the best account of political justice. It is this that offers real chances for resolving the democratic dilemma.³³

2.3.2. *Democratic Order and Individual Responsibility*

The political structure of democracy is the only coercive structure of the state which can be consistent with people's ethical responsibility to lead their own lives. The individual responsibility of active participants in political decisions attributes to the idea of responsibility not only as individuals but also a collective, as we exercise responsibility for some tasks not only individually but also collectively.

Speaking about an the inner connection between the institutional question and the ethical question, Dworkin says: "We must define democracy as that form of government in which all citizens have an opportunity to participate, as active and equal partners, in the political decisions that govern them, in circumstances that make individual consequential responsibility appropriate. That makes the institutional question – what institutional arrangements count as democracy, and which changes in these institutions count as improvement in democracy? – turn on an ethical question: When *is* it appropriate for someone to treat himself as an active and equal partner within a collective agency?"³⁴

2.4. The Character and Possibility of Objective Truth in the Field of Values

Dworkin develops an epistemological position, which logically follows from the above-mentioned axiology and inherits its terminology from it.³⁵ He speaks about interpretative concepts as considered by an "epistemology of equilibrium" which aims at affirming that certain political values and value judgments in general have the status of objective truth, according to the value procedure of reconsidering values (including political values) from the point of philosophical ethics and "face-value view of morality."³⁶

Dworkin elaborates the epistemological position of internal scepticism, which he has applied to human convictions in the fields of ethics, morality, law, and esthetics. Internal scepticism has been characterized by

³³ R. Dworkin, (1990, 1999, and 2000).

³⁴ R. Dworkin, (1999), 15.

³⁵ R. Dworkin, (1996, 1999, and 2002).

³⁶ R. Dworkin, (1996).

the claim that in the field of values it is neither possible nor appropriate to be sceptical from beginning to end. There are value estimations or substantive value judgements, which could be asserted to be objectively true. According to internal scepticism, generally speaking, there exists value pluralism, and it is appropriate to consider values in relation to their historical genesis, as well as to some kind of historical progress (for example, in the case of slavery).

Internal scepticism is connected with critical discourse about values, based on reflexive equilibrium and interpretative justification, and aiming at mutual normative integrity of the fundamental political, legal, moral concepts and also with the two fundamental human values. The final aim of internal scepticism however is the approved status of objective truth for certain relevant concepts, values, ideals.

3. CONCLUSION

Normative integrity of fundamental liberal values – as based on two cardinal moral values – represents an essence of the philosophical foundations of Dworkin’s political philosophy. The conception of liberalism linked with the “strategy of continuity,” which presupposes abstract liberal ethics and implicates the project of solving “democratic dilemma,” bears in itself elements of utopian ideal of common fundamental values which do not annihilate pluralism of individual value orientations.

The above mentioned normative integrity, “strategy of continuity,” restricted neutrality of the liberal state, and democratic order have been the theoretical-practical framework for realizing the “equality of resources” account of justice; in other words, for making liberalism a more just political community.

The main aim of Ronald Dworkin’s theory of justice is to reaffirm the egalitarian dimension – (equal importance and the fair distribution of resources) of liberalism, without annihilating the concept of liberty and individual choice and responsibility.

If we would want to summarize his conception of justice in one sentence, it would have to be: “Justice is the sovereign virtue of a liberal political community and at the same time justice is a parameter of individual ethics.”

Philosophical foundations of his theory of justice enable the clear articulation of the relation between equality, liberty, the common good, individual autonomy, political morality and individual ethics, neutrality of the state and value pluralism inside the liberal state and society.