

MEANINGFUL LAW, MEANINGFUL JUSTICE  
– “BLIND SWORD” OR “GUARDIAN OF DIGNITY”\*

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**Abstract.** Meaningful law and justice are closely connected. Seen in the perspective of two revealing metaphors for law, namely “blind sword” and “guardian of dignity”, human dignity is the core of this investigation concerning meaningful law. Next to rules, dignity and especially the dignity of rights is a safeguard against injustice and oppression, for “non-domination”. Although law places a great accent on the value of order and on equality in front of law, this type of “blindness” should not extend over a “blind” fulfilment of the human rights. “Rights are trumps” as R. Dworkin once phrased it. Also, in Dworkin, morality and ethics are part of the good life structured upon ethical principles and Aristotelian virtues: it is important how man chooses to live, with responsibility for his own life. Thus, it is also important how we relate to law and justice. Are they thought through, seen within context, understood as values, virtues and aims to which one can contribute? The individual cannot seriously expect “blind” implementation of law to yield justice if law as norm and process is oblivious to contexts and circumstance. Understanding law should go in tune with the understanding of others, of their situations with respect: “Love is what gives respect for humanity, its life making it more than a shell”, Martha Nussbaum wrote in her book *Political Emotions: Why Love Matters to Justice* (2015). Lives are not valuable and especially not really “good lives”, only because they are brought in accordance with norms (the moral requirements of the universal Kantian law). Here the Rawlsian notion of reasonableness comes in play. Rather, the ethical dimension requires to be concerned with what a good life is, both in Dworkin and Nussbaum. Meaningful law cannot be conceived outside the purpose of the good life. This is not described only as the best answer given to the duties and norms (from a universal law), but it is also as the answer given to the requirements of dignity. What is just is rational, but also dignified and dignifying.

**Keywords:** *Justice; Dignity; Respect; Togetherness and Love*

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*What Is the Aim of Justice? Meaningful Law? Reliable Law?*

Justice is vital for good life and a good society. Ethics, legal and political philosophy are all concerned with *justice*. Justice is the crucial finality of the exercise of law. However, justice and law are for the people and they have meaning only in societies where dignity is still possible and meaningful. Reversely, the “problem” of *dignity* cannot be conceived disconnected from the sphere of meanings discussed when we talk about *justice*.

We underline in our investigation that not only there is no good life possible outside of justice and law, but also *there is no “normality” for the human beings outside of justice and law*. As a consequence, the quality of life and relationships in any human society is dependent on law and justice. Our investigation is therefore part of our larger interest for the investigation of the theme pertaining to the quality of (social) togetherness.

Methodologically, we propose a puzzle of ideas, all discussing the situation of the meaningful law and meaningful justice as close as possible to the ontology described via the metaphor “guardian of dignity” and as far as possible from the ontology described via the metaphor “blind sword”. More precisely, the latter captures the meanings associated to a law seen as technical instrument, rigid and coercive, oriented toward punishment, while the former indicates the possibility that, as much as possible, justice is recognized as such by the people involved, for their rights were observed and law was interpreted as something that although is above all and everything else is not totally disconnected from the human beings and the realities of their context and reinstalls justice and norm into everyday life, as normality.

Aristotle understood justice as “complete virtue”<sup>1</sup>, always “in relation to another person”<sup>2</sup>. Is really reductive to define justice as ‘what we owe to each other’<sup>3</sup>. Different reasons sustain objecting to social inequality, and conversely for valuing social equality both in front of law and in terms of access at law, as premise and result of a just life.

Even since Plato we learn that it is better for a person to be just than unjust.<sup>4</sup> Also, his teachings show that just and moral are not so far apart, justice is not mere strength, but it is a harmonious strength. At the same time, justice is not the right of the stronger but the effective harmony of the whole. The good for the individual taken as a whole entity with aspirations and needs is dependent on justice and law. Rights and justice reinforced by law are good for the individual and it is good for the social body. Nevertheless, the just individual is undoubtedly the premise for the just city.

<sup>1</sup> Aristotle, *The Nicomachean Ethics*, transl. David Ross and Lesley Brown (1877-1971), Oxford, New York, Oxford University Press, 2009, 1129b30–1.

<sup>2</sup> *Ibidem*, 1129b27.

<sup>3</sup> Justice can be interpreted in the perspective of a meta-ethical contractualism, which allows for the moral motivation and moral deliberation: in our view, this is a fertile context for the acknowledgement of human dignity. Thomas M. Scanlon, *What We Owe To Each Other*, Belknap Press of Harvard University Press, 1998.

<sup>4</sup> Allan Bloom, *The Republic of Plato*, New York, Basic Books, 1968.

John Rawls<sup>5</sup> saw justice as “the first virtue of social institutions”. For his perspective, this definition implies rationality and reasonability (which is as well a name for the good measure in all things). Before him, Hegel<sup>6</sup> saw legal philosophy built on a core formed of the *rationality of law*, which can only be based on concepts of freedom, reason, self-consciousness, and recognition, because these are to be realized in the practice of law.

Meaningful law and justice are closely connected. In a way justice is *for* man as much as man is for justice. Justice is not above man in the sense that it should serve the human fibre, the humanity of mankind. Within a realm of injustice man is a lesser man, a homunculus. Justice nourishes and cultivate individual lives and decisions and it should not be envisioned in a limited understanding as a sum of corrective decisions and measures.

Justice is a concept seen here in the perspective of two revealing metaphors for law, namely “blind sword” and “guardian of dignity”. Human dignity is the core of this perspective that we sustain for law and justice. Next to rules and jurisprudence, law creators and law implementers should mind the beacon of dignity with all the intertwined philosophical and juridical meanings, because the home of justice can be erected, it can last and it can function only on the paths of human dignity.

*Order and Equality in Front of Law. Just Laws.  
Are They Enough for Justice?*

First and foremost, we relate justice to laws, just laws, so we should consider the matter of order and equality in front of law.

However, without a Kantian and Fichtean conception of human dignity based on autonomy<sup>7</sup> *as one resulting from freedom and the moral vocation of human beings as rational agents both law and justice are weakened as well as concepts and as realities; for they lose this way their legitimacy, purpose and meaning.*

Although law places a great accent on the value of order and on equality in front of law, this type of “blindness” should not extend over a “blind” fulfilment of the human rights.

However, justice and law without human rights is purposeless and a meaningless endeavour. “Rights are trumps” as Ronald Dworkin<sup>8</sup> once phrased it. Also, in Dworkin, morality and ethics are part of the good life structured upon ethical principles and Aristotelian virtues: it is important how man chooses to live, with responsibility for his own life.

In his work *Justice for hedgehogs*<sup>9</sup>, Dworkin emphasizes that justice becomes paramount, a “big” idea, an idea that brings together in unity the ethical

<sup>5</sup> John Rawls, *A Theory of Justice*, Cambridge, MA, Harvard University Press, 1971. Revised edition, 1999.

<sup>6</sup> G. W. Fr. Hegel, *Elements of the Philosophy of Right*, edited by Allen W. Wood, translated by H.B. Nisbet, Cambridge, Cambridge University Press, 1991.

<sup>7</sup> Gunnar Beck, *Fichte and Kant on Freedom, Rights, and Law*, Lexington Books, 2008.

<sup>8</sup> Ronald Dworkin, *Taking Rights Seriously*, Massachusetts, Harvard University Press, 1977.

<sup>9</sup> *Idem*, *Justice for Hedgehogs*, Cambridge, Massachusetts, London, The Belknap Press of Harvard University Press, 2011.

values and the moral values, all of them objective. In other words, the focus on the aspect related to the unity of value must not bring us to the point where we lose sight of the aspect related to the objectivity of values. And this objectivity, indebted to well-established truths about value, is what awakens and empowers intellectual and moral responsibility, as well as what allows the correlation (unlikely from the perspective of people's predominant experience) between morality, politics, and justice.

In a nutshell, *justice is what justice does*. Thus, it is also important how we relate to law and justice. Are they thought through, seen within context, understood as values, virtues and aims to which one can contribute?

### *The Spirituality and the Authority of Law*

Aligned with a perspective of unity of value spirituality and the authority of law should not be disconnected. We consider this aspect through two interconnected instances: E. Speranția and the perspective of Kantianism.

For the Romanian philosopher of law Eugeniu Speranția (1888-1972), the general and immutable laws of thought apply in law and in society, with the necessity arising from the nature and characteristics of the human spirit. The philosopher explores and capitalizes upon the notions of Kantian autonomy and Kantian sociality.

This induces a consistency in terms of the interpretation of *the spirituality of law*, illuminating a special spirituality in the conception of the just society, transposed into principles imported from formal logic: the principle of identity and of contradiction. Eugeniu Speranția<sup>10</sup> *defines law as a science*, without being limited to materialism and empiricism, a context in which the principle of legislation and the authority of law, the concept of coercion, consequence of the need for identity, the right relationship is highlighted.

In Speranția's philosophy of law justice is made via distinct principles regarding not only the authority and obligation of law, the doctrines or to the legal provisions, but also to the philosophical values that support the legal norms as social norms. He presented his conception as "a new return to Kant", mostly, to a Kant understood with Fichte and Hegel and adapted to contemporary scientific themes.

*A very important lesson in Eugeniu Speranția's perspective is that through a minimum of justice, law induces a maximum of sociality, which implies as well the quality of the functional and desirable sociality that the lawful, just context usually sustains.*

Speranția emphasizes that the law allows the realization of the conditions of social life through the state authority that imposes the necessary norms. When the philosopher underlines that law, through a minimum of justice, induces a maximum of sociality, he is emphasizing rationality and spirituality much more than the necessary coercive character of law.

<sup>10</sup> Eugeniu Speranția, *Curs de filosofia dreptului și sociologie*, Cluj, Casa Școalelor, 1936, pp. 26, 30, 59.

For Dworkin also, political obligation is the expression of the community binder. “The political obligation derives from the political assumption in the same way that the obligations deriving from the political association derive from the other forms of association.”

*Ronald Dworkin: “Justice for Hedgehogs” and “Rights as Trumps”*

In the work *Justice for Hedgehogs*<sup>11</sup>, the most important topics of political or related science addressed are justice, morality and ethics, as well as recognition, responsibility, morality and political ethics, equal government concern for citizens and individual political rights as strengths.

Ronald Dworkin refers to this distinction to highlight the thesis of the unity of value in terms of justice. Justice becomes such a “big” idea, an idea that brings together in unity the ethical values and the moral values, all of them objective. In other words, the focus on the aspect related to the unity of value must not bring us to the point where we lose sight of the aspect related to the objectivity of values. And this objectivity, indebted to well-established truths about value, is what awakens and empowers intellectual and moral responsibility, as well as what allows the correlation morality – politics – justice. The perspective from *Justice for Hedgehogs* is a theoretical construction of the unit of value through which morality is approached as a whole that includes justice, ethics and political morality, in addition to the legal and legal-political aspects assumed by the rule of law, legality, constitutionality and legitimacy.

The dimension of unity of value is paramount in the present investigation. From the perspective of the correlation between morality, politics and justice that cannot be eluded by an investigation of the quality of human togetherness the unity of values, on the one hand, and the duality emotion-thought, on the other hand, are also topical.

Antonio Damasio<sup>12</sup> showed that emotions are “an integral component of the machinery of reason”. Emotions can negatively affect our rational thinking, or positively. Damasio<sup>13</sup> also sustained that rational deliberation activates “gut feelings” and in turn these are directing the reflection, orienting it. Feelings possibly influence body representations, but not the neuronal processes that underlie bodily homeostasis and emotion states.<sup>14</sup> What happens though when feeling create a state of general stress? One may suppose that then they influence also neuronal functioning. All these constituents of contexts and realities influence reason, rationality, reasonability and action, influencing our views and results in accomplishing justice, too.

<sup>11</sup> Dworkin, *op. cit.*

<sup>12</sup> Antonio Damasio, *Descartes' Error: Emotion, Reason, and the Human Brain*, New York, G. P. Putnam's Sons, 1994, p. xii.

<sup>13</sup> Antonio Damasio, *Looking for Spinoza: Joy, Sorrow, and the Feeling Brain*, Harvest, 2003.

<sup>14</sup> A. D. Craig, “How do you feel? Interoception: the sense of the physiological condition of the body”, in *Nature Reviews*, No. 3, 2002, pp. 655-666.

If emotions are moral choices, are they also constitutive or fundamental for these moral choices? A very important direction of investigation correlates the formation of the moral sense with our relations to others and to the emotions caused or occasioned by these relations. Within or outside our conscious selves and existence emotions influence expectations, behaviour, clarification or deception/self-deception. Our freedom to change behaviour, actions, projects is only relative to the measure in which emotions of which we are not aware of lead the way in decision making, in setting goals, in action and activity, in understanding and enjoying justice.

*Martha Nussbaum. What's Love Got to Do with Law and Justice?*

Love is in Martha Nussbaum<sup>15</sup> the apogee of empathy, which is the only realistic foundation for recognition and respect, without which justice is meaningless. Love and respect as pillars and beneficial context creators for dignity and positive relations with others. The Aristotelian concept of friendship is re-valued and re-interpreted as love in Nussbaum. Love and law could thus go together in the consideration for the others that should not be eluded in the act of justice, only for the sake of objectivity above any other considerations. Are love and law thought through, seen within context, understood as values, virtues and aims to which one can contribute? The individual cannot seriously expect "blind" implementation of law to yield justice if law as norm and process is oblivious to contexts and circumstance.

Understanding law should go in tune with the understanding of others, of their situations with respect: "Love is what gives respect for humanity, its life making it more than a shell", Martha Nussbaum wrote in her book *Political Emotions: Why Love Matters to Justice*. Lives are not valuable and especially not really "good lives", only because they are brought in accordance with norms (the moral requirements of the universal Kantian law). Here the Rawlsian notion of reasonableness comes in play here in Martha Nussbaum's perspective, too. Rather, the ethical dimension requires to be concerned with what a good life is, both in Dworkin and Nussbaum.

However, Nussbaum<sup>16</sup> proposes a related argument of that determining how and why love matters to justice, in a critique of shame and disgust as determinants in individual and social lives and in the law, since as we have previously emphasized the key aspect in contemporary philosophy of law should be this understanding of law as "guardian of dignity" and, in consequence, of the quality of our togetherness.

Martha Nussbaum argues that we treat more sensible these emotions. We should gain and cultivate an awareness that such emotions are, in fact, mask a desire to hide from our humanity. The deep implications of the discourse of

<sup>15</sup> Martha Nussbaum, *Political Emotions: Why Love Matters to Justice*, Harvard University Press, 2013.

<sup>16</sup> *Idem*, *Frontiers of Justice: Disability, Nationality, species membership*, Belknap Press of Harvard University Press, 2006.



purity and perfection are here in play. This discourse of aspiration, as wonderful and uplifting as it was through the years past, has a dangerous consequence of disguising a monstrous drive to reject anything that does not meet criteria of invulnerability and perfection, this way unrealistically rejecting our human paradoxical nature of finding strength *in* and *despite* our weaknesses properly acknowledged.

Impossible aspirations built around a sort of unrealistic (or even pathological) wish to be invulnerable, not only the night of reason, yield monsters (cruelty and injustice in numerous forms). Law and justice based in the understanding of the other are impossible in reasoning contexts and judgements built on disgust and shame. Nussbaum shows that “magical ideas of contamination, and impossible aspirations to purity that are just not in line with human life as we know it.” She argues that disgust and shame should never take over a well-balanced judgement aggravating or mitigating the image of the criminal act or the punishments associating to it. No one is above the law and some acts are shameful and disgusting: however, the one who imparts justice should be not above emotions, but fully aware of emotions and at times suspicious of them in their impact on reason and reasonability. No one is above law and no one is without mistake. Similarly, for better or for worse, no one is above emotion.

*The Sacrality Of Law? Justice as the Anonymity  
of God (Rendered Manifest or Present)*

The sacrality of law should imply proper procedures and respect for its importance, regulations, statements and decisions from everyone who is a part of human society. Ion Alexandru, a Romanian philosopher of law with national and international outstanding recognition, emphasized the sacrality of law as a guarantor of social cohesion, “the judiciary inherits sacred value as dignity and effectiveness”.<sup>17</sup> In court hearings, symbols and rituals are kept to emphasize the importance of law and justice for man; and these symbols and rituals bring back to the people the perceptible, visible area of the sacredness of justice. The pragmatic, humanistic, regulatory and restorative functions of the order, as well as the pedagogical function of law, cannot completely eclipse the moral, spiritual and sacred dignity of the act of justice. However, this does not imply that thought, reason, rationality and reasonability should be somehow purged from the realities of law. The light of reason should be present there as a permanence. This is why the goddess of wisdom Athens is a perennial symbolic representation of justice in human societies along with the scale, in our view, the symbol of reasonability and not only of equity in justice (in the sense of justice for all).

Concepts such as the infallibility of the popular will, truth, justice, legal conscience, legal common sense, sin, or legal, moral, or ethical responsibility all retain their sacred charge and refer to each other, regardless of whether they all

<sup>17</sup> Ioan Alexandru, *Despre sacralitatea justiției* [On the sacrality of justice], Bucharest, Editura Academiei Române Publishing House, 2019.

find their place. In the forefront of recent legal rituals. *Therefore, the foundations of law are closely related to the exceptional social duties to preserve and restore social relations or a certain social relationship, thus keeping the social edifice intact.*

How should we understand this “sacrality”? The sacrality of law does not force juridical science into the shadows of unscientific realms. In the preface of another work of Ioan Alexandru, *Constitutional Democracy Utopia and/or Reality*<sup>18</sup>, Alexandru Surdu, contemporary philosopher, showed regarding the work titled *Constitutional Democracy utopia and / or reality* that it is a unique book in the landscape of philosophical-legal doctrine in Romanian culture for it launches a topic that will be frequent and ignited scientific debates in the world of both jurists and philosophers. Through this work the thinker understood the role of philosophical analysis especially in the relatively obscure border areas of legal knowledge. A certain level of philosophical analysis and sensitivity is necessary as context and guidance in the appreciation of human life in all its rights and values when that human life, or a human person or a democratic system is in a situation of justice deficiency.

The book on constitutional democracy does not propose an analysis at the level of concrete realization of constitutional democracy in our country, but aims to bring to the readers’ attention the main issues addressed in the political and legal doctrine in this matter, providing at least partially the information needed to formulate answers “to the question from the title, namely: whether the theory of constitutional democracy is a myth or can become a reality. The chapter titled Perspectives of Constitutional Democracy shows disappointment when it makes a brief retrospective of the state of affairs and some cautious remarks on the prospects of constitutional democracy in Romania. Starting from the thesis according to which “our contemporaries are forced to think like this for the obvious reason that they think of something other than they were used to doing more than a century ago”, to which is added the fact that they think not only of something else, but also “otherwise, this was determined by the great scientific discoveries of the twentieth century that demonstrated the existence of new principles that disrupted the binary logic allowing the consecration of trinary logic”. A nuanced judgement, reason and reasonability are paramount for the quality of justice accomplished.

Ioan Alexandru concludes that our way of thinking must evolve from “Or this or the other” towards “and this and the other” and to accept that the trinary logic reveals to us that everything is a permanent movement of evolution and involution, which also happens with the constitutional democracy. All we have to do is to patiently climb the steps of knowing constitutional democracy and at the same time accept that “there are certain limits to knowledge, a kind of transcendent censorship, as Lucian Blaga called it, which prevents us from knowing ... which is unknown.”

<sup>18</sup> Ioan Alexandru, *Democrația constituțională utopie și/sau realitate* [Constitutional Democracy Utopia and/or Reality], Bucharest, Universul Juridic Publishing House, 2012.



In other words, in terms of constitutional democracy, as we see in what concerns the sacrality of justice we have neither a myth, nor a reality; just an *ideal*.

Dignity of man is strictly related to the human ideals starting with order and ending with the search for the good and just society and in this sense sacrality of justice is the sacrality of the dignity of man.

Ioan Alexandru underlines that consequently, the legal profession, and especially the profession of judge, is necessarily a vocation with professional attire, supported by intrinsic motivations: these are the only filters that can protect the quality of this elite. The politicization and corruption of the judiciary leads to the decline of the rule of law and the *raison d'être* of power. The body of magistrates divided by interests and political options is the expression of a slip. Even the impression that "justice does politics" is an alarming fact. "The balance of justice (the symbol that is so dear to us and to which people's hopes are linked) is the essence of the act of justice and the work of judges" ...

*Sacrality of Dignity Is Sacrality of Justice.  
Grand Pillars of Modern & Contemporary Philosophy of Law*

Kantianism and recognition along with the Kantian view of autonomy and the Kantian sociality are still central to any discussion of justice seen as well as action and as accomplished result. Law and the rule of law ensure a proper context of recognition, freedom and equality where both individuality and togetherness thrive. As R. Alexy (2012) noticed: "To recognize another individual as free and equal is to recognize him as autonomous. To recognize him as autonomous is to recognize him as a person. To recognize him as a person is to attribute dignity to him. Attributing dignity to someone is, however, to recognize his human rights."<sup>19</sup>

Hegel's philosophy of Law (*Rechts*) indicates that Law is an abstract universal and justice emerges as universal element in the human will. The individual, however, cannot be satisfied with justice unless the law agrees with his conscientious convictions. Modern socio-political order and thought still struggles to construct a political order that can satisfy the universal and rational demands of reason avoiding though orders of slavery and the dissolving individual freedom of conviction.

When we turn to the matter of oppression and injustice in Rawls the investigation of reasonability in relation to the good life stands out within his construction of a modern and relevant theory of justice. Also, the consequence of the veil of ignorance and of the Rawlsian principles of justice imply that considering rights for oneself should mean to recognize the rights of the others involved in social life as a whole, in interactions the observations and discussion of the social life.

The same topics of oppression and injustice in addressed in Philip Pettit<sup>20</sup>, this time, inscribed in an investigation of republicanism, sustained as a framework

<sup>19</sup> R. Alexy, *Law, Morality, and the Existence of Human Rights*, "Ratio Juris", No. 1, 2012, p. 11.

<sup>20</sup> Philip Pettit, *Not Just Deserts: A Republican Theory of Criminal Justice*, with John Braithwaite, Oxford University Press, 1990. Philip Pettit, *Rawls: A Theory of Justice and its Critics*, with Chandran Kukathas, Polity Press, 1990.

for a dignified life free from oppression, free from any type of dependence or domination. Accepting oppression and injustice to others does not place a distance between the self and oppression, but rather it contributes to a culture of oppression and injustice that ultimately renders justice meaningless and arrives to affect in a negative, undesired manner as well the life of the individual who accepted injustice and oppression for others.

Sociality is, in our view *qualitative togetherness based on the good life*. This general idea can be developed in the philosophy of law in many directions. Let's consider the argument proposed by Rainer Forst's concept of the human beings as justificatory beings. In Rainer Forst<sup>21</sup> a fundamental right to justification is stated for all free and equal citizens. The justification in question pertains to citizens' entitlement. From the perspective of entitlement many aspects of justice and rights become apparent. Justice starts from justice claims and the discursive dimension of justice is, in this respect, crucial. As a consequence, the practices of justification and criticism and their associated discourses are paramount in any society. The very idea that citizens should be part in all the practices that have impact on the quality of life, for instance to see the participation in the practices of distribution as a basic right is part of a whole justificatory power, which is shaped and made present discursively. Also, a facet of justificatory power is to remind socially that justice stands as a shield before arbitrariness.

In *Taking Rights Seriously*<sup>22</sup> rights are more than mere interests, but they are not absolute. Pondering upon the adjudicating conflicts over rights, constitutional adjudication within this frame is primarily an *interpretive* exercise fixed on identifying the substance and reach of any constitutional rights at issue. Under the second frame, rights are limited but for the exceptional circumstances in which they are absolute. Adjudication within this frame is primarily an *empirical* exercise fixed on testing the government's justification for its action. In one frame, the paradigm cases of rights infringement arise as the consequences of governing poorly. In the other, the paradigm cases arise as the costs of governing well. Dworkin distinguishes between human rights and political rights. The most abstract right, the right to attitude, is a basic human right. The author observes that governments can respect a fundamental human right even if they fail to correct more concrete political rights or when they maintain a structure of taxation of citizens, which they consider just, for example. Fundamental human rights are a consequence of the interpretation of things in the following sense: Can the laws and policies of a political community be reasonably interpreted as an attempt (even a failed attempt) to respect the dignity of those in power in those communities? If some laws and policies can be understood as a rejection of these responsibilities, then they violate human rights. Human rights become political rights when they are specified by law and enforced by public policy.

<sup>21</sup> Rainer Forst, *Normativity and Power: Analyzing Social Orders of Justification*, Oxford University Press, 2018.

<sup>22</sup> R. Dworkin, *op. cit.*

The concept proposed by Dworkin in the context of the theory of justice “for hedgehogs”, namely “equal concern” approaches equity, the result of the Rawlsian theory, by means of the unit of value that imposes equal concern for human value, as well as for political, social and moral values; a unity in which the moral substance is thus denser. From justice as equity, Dworkin moves to justice as dignity raised to the level of a universal maxim.

Nussbaum’s concept of love extended into public and juridical areas in term of factor of guidance and decision-making for these realms and Rorty’s “ironism”<sup>23</sup>, discussing the importance of the empathic beings are not very far apart from Dworkin’s accent on rights and dignity. This is a third direction to evaluate the possibility and the requirements of the quality of our togetherness nowadays. Togetherness becomes a pure aberration within a context of injustice and indignity.

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Conclusions. Law is the context for mutual recognition and just social relationships. To recognize another individual as free and equal is to recognize him as autonomous. To recognize him as autonomous is to recognize him as a person. As R. Alexy emphasized, to recognize someone as a person is to attribute dignity to him. Attributing dignity to someone is, however, to recognize his human rights.

Sociality at its best implies qualitative togetherness based on the good life: a. Rainer Frost justificatory beings; b. rights as trumps, entitled beings; c. Nussbaum (love) and Rorty (ironism) empathic beings. Law places a great accent on the value of order and on equality in front of law, this type of “blindness” should not extend over a “blind” fulfilment of the human rights. Rights should be (re)invested with social and personal value via empathy and education. *Meaningful law and meaningful justice* correlate to the purpose of the good life and the dignified view of man. This is the best answer given to the duties and norms (from a universal law) and the answer given to the requirements of dignity). *What is just is rational, but also dignified and dignifying.*

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<sup>23</sup> Ironism is the *Weltanschauung* embraced and developed by the ironist, a person who follows the following (weak) imperatives: “(1) She has radical and continuing doubts about the final vocabulary she currently uses because she has been impressed by other vocabularies, vocabularies taken as final by people or books she has encountered; (2) she realizes that arguments phrased in her present vocabulary can neither underwrite nor dissolve these doubts; (3) insofar as she philosophizes about her situation, she does not think that her vocabulary is closer to reality than others, that it is in touch with a power, not herself.” Richard Rorty, *Contingency, Irony and Solidarity*, Cambridge, Cambridge University Press, 1989, p. 73. See also Henrieta Anișoara Șerban, *Neopragmatism și postliberalism. Un Weltanschauung contemporan/ Neopragmatism and Postliberalism. A Contemporary Weltanschauung*, bilingual edition, Bucharest, Institute of Political Sciences and International Relations “Ion I. C. Brătianu” Publishing House, 2021.

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