

## RIGHTS AS TRUMPS, JUDICIAL ACTIVISM AND HUMAN DIGNITY IN LIGHT OF DWORKIN'S POLITICAL PHILOSOPHY

### DIREITOS COMO TRUNFOS, ATIVISMO JUDICIAL E DIGNIDADE HUMANA À LUZ DA FILOSOFIA POLÍTICA DWORKINIANA

### LOS DERECHOS COMO TRIUNFOS, EL ACTIVISMO JUDICIAL Y LA DIGNIDAD HUMANA A LA LUZ DE LA FILOSOFIA POLÍTICA DE DWORKIN



<https://doi.org/10.56238/sevened2026.008-085>

Luciano Jesus Hage Martins<sup>1</sup>

#### ABSTRACT

This research aims to understand, through Dworkin's political theory of rights as trumps, the concepts of human dignity and judicial activism. According to the theory under study, rights as trumps seek to protect individuals from unjust public policies of the government, which can harm the equal distribution of rights. In this context, the study explores the concept of rights as trumps in order to understand human dignity and the counter-majoritarian role of the judiciary, and how these concepts help in the protection of fundamental rights and the distribution of rights based on equal consideration. Regarding the methodology used in this article, discourse analysis will be employed, as the objective is to understand the discourse used in the concept of rights as trumps. Thus, at the end of the work, the results obtained during the research on the analyzed topic will be presented.

**Keywords:** Unjust Public Policies. Equal Distribution of Rights. Protection of Fundamental Rights.

#### RESUMO

A presente pesquisa tem a finalidade de compreender por meio da teoria política de Dworkin dos direitos como trunfos os conceitos da dignidade humana e do ativismo judicial. De acordo com a teoria em estudo, os direitos como trunfos buscam proteger os indivíduos de políticas públicas injustas do poder público, que podem prejudicar a distribuição igualitária de direitos. Nesse contexto, o estudo explora a concepção de direitos como trunfos a fim de entender a dignidade humana e a atuação contramajoritária do judiciário, e como esses conceitos ajudam na proteção de direitos fundamentais e na repartição de direitos com base na igual consideração. No que se refere à metodologia utilizada no artigo será a análise do discurso, pois o artigo tem o objetivo de compreender o discurso empregado no conceito de direitos como trunfos. Assim, ao final do trabalho, será exposto os resultados obtidos durante a pesquisa sobre o tema em análise.

**Palavras-chave:** Políticas Públicas Injustas. Distribuição Igualitária de Direitos. Proteção de Direitos Fundamentais.

<sup>1</sup> Master's degree in Law. Centro Universitário do Estado do Pará. E-mail: lucianohage@yahoo.com  
Lattes: <https://lattes.cnpq.br/6569202093906041>

## RESUMEN

Esta investigación busca comprender, a través de la teoría política de los derechos como triunfos de Dworkin, los conceptos de dignidad humana y activismo judicial. Según la teoría en estudio, los derechos como triunfos buscan proteger a los individuos de políticas públicas injustas del gobierno, que pueden perjudicar la distribución equitativa de los derechos. En este contexto, el estudio explora el concepto de derechos como triunfos para comprender la dignidad humana y el papel contramayoritario del poder judicial, y cómo estos conceptos ayudan en la protección de los derechos fundamentales y la distribución de derechos basada en la igualdad de consideración. Con respecto a la metodología utilizada en este artículo, se empleará el análisis del discurso, ya que el objetivo es comprender el discurso utilizado en el concepto de derechos como triunfos. Por lo tanto, al final del trabajo, se presentarán los resultados obtenidos durante la investigación sobre el tema analizado.

**Palabras clave:** Políticas Públicas Injustas. Distribución Equitativa de Derechos. Protección de los Derechos Fundamentales.

## 1 INTRODUCTION

This article will analyze the principle of the dignity of the human person in the phenomenon of judicial activism from the perspective of Dworkin's concept of law as trump cards, which consists of the use of rights as trump cards to seek a more appropriate solution to guarantee fundamental rights in the face of the arbitrariness of the state. According to Dworkin, it is necessary for courts to use principles based on moral justification to ensure a fair distribution of rights. (Dworkin, 2007)

Judicial activism is characterized by the counter-majoritarian action of the Judiciary in the face of the insufficiencies of the Legislative Branch, especially when fundamental rights are not adequately protected. In the Dworkinian perspective, this action can be legitimized as long as it is based on legal principles endowed with moral content, oriented to the promotion of equality and freedom. (Dworkin, 2002)

Furthermore, the concept of rights as trump cards includes human dignity, as a means to guarantee basic rights to individuals. Considering that this principle seeks to ensure the way of life of the citizens of the community, thus helping in the fair distribution of rights. (Dworkin, 2014)

In view of these premises, the article in view of the concepts that will be used in relation to Dworkin's theory, aims to answer the following question: How does Dworkin's concept of Rights as trump cards analyze the Principle of the Dignity of the Human Person in the phenomenon of Judicial Activism?

The central hypothesis of this study is the concept of rights as trumps, developed by Dworkin, which provides an adequate theoretical foundation for the application of the principle of the dignity of the human person in the context of judicial activism, legitimizing the counter-majoritarian action of the Judiciary in the realization of an equal distribution of rights. Thus, the relevance of this article contributes to the academic debate on judicial activism, especially when based on the principle of human dignity in the theory of rights as trump cards.

The general objective of this article is to analyze, through the theory of rights as trumps, the distribution of rights from a counter-majoritarian action of the Judiciary. In addition, it is highlighted that the specific objectives established in this study are: To understand the importance of the judicialization of arbitrary public policies; Analyze the role of human dignity in the protection of fundamental rights and clarify the role of the judiciary in the distribution of rights.

Regarding the methodology, the method of discourse analysis will be used in this work, having as object of study the principle of human dignity in judicial activism, analyzed from the concept of rights as trumps. Thus, this method consists of analyzing an object of research,

based on the language in which it produces in the face of a theory, in this case it is Dworkin's theory of rights as trumps.

The present research adopts the qualitative approach, and the means used to carry out searches were Dworkin's works, articles and periodicals that deal with the theme. In this sense, the work presents the theoretical framework based on Dworkin's political theory that will be analyzed in this article.

The results of the research are presented in the following topics: The concept of rights as trump cards; Judicial activism from the perspective of rights as trump cards; and The principle of human dignity according to rights as trumps. Finally, at the conclusion of the work, the recapitulation of the objectives and premises of each topic will be presented, as well as the examination of the confirmation or not of the research hypothesis.

## **2 THE CONCEPT OF RIGHTS AS TRUMP CARDS**

In this topic, the concept of rights as trumps will be explained. Firstly, according to Dworkin, rights as trump cards means that the right should be understood as a way for citizens to protect themselves against the arbitrariness of the state. (Dworkin, 2014)

Rights as trump cards is a concept that Dworkin developed as a way to make an analogy to card games, with law being a kind of surprise card to protect fundamental rights and guarantees against actions of the public power. Thus, individuals would have legal instruments to claim fundamental rights before the public power. (Novais; Miranda, 1996)

Dworkin argues that not every right can be considered as an asset, because this right must be pre-existing in a community of principles, as Martel states:

Dworkin distinguishes several categories of rights. It is not just any right that assumes the position of trump right. Trump-rights are those pre-existing, identified in a community of principles - a personified community, whose link between people is fraternity and not a mere geographical accident or a mere convention. The identification of such rights occurs with the fulcrum of the substantive connection with their foundation, the liberal conception of equality, with an examination of the distribution of rights (as a rule, trump rights cannot be recognized to one group and not to others), as well as through recourse to tradition, institutional history and community morality. In the case of the United States, some trump rights are also included in the text of the Constitution. Dworkin does not offer a list of trump rights, nor does he conceive a mechanical formula that allows their identification. Recognizing a trump card right is an interpretative task, for which it is essential to assume the communication between morality and law. (Martel, 2007, p.4)

According to the excerpt above, the author states that for a right to be considered as an asset, it is necessary that this right be recognized and identified in a community of principles. Because the identification of rights as an asset occurs according to the moral and

political foundation of society, for example, the conception of equality in the distribution of rights is based on the political morality of the community, thus, the recognition of a right as an asset becomes an interpretative issue. (Martel, 2007)

Furthermore, rights as trump cards cannot be confused with fundamental rights. Because these rights are based on a moral justification, in this case it becomes an interpretative question, not extending to the rights already affirmed. In this sense, rights as trumps cannot be equated to fundamental rights already affirmed in the legal system, since trump rights for Dworkin are moral rights. (Martel, 2007)

In addition, Dworkin argues that the idea of trump rights could trivialize a claim to certain rights. In this way, Dworkin defends a new conceptualization of rights as trump cards. (Dworkin, 2014)

Along these lines, Dworkin states:

[...] The idea of rights as trump cards can be used in such a way as to grotesquely increase the number of rights, trivializing the appeal to a right. Certainly, that is, possible—we might stipulate that a man is said to have a right if his disadvantage affords a stronger reason than some other reason of any kind that might exist in support of that disadvantage. Most rights would have (according to this explanation) no practical importance. We would then need a new concept of rights as trump cards over important collective justifications, which is what I propose in the first place. (Dworkin, 2002, p.559)

According to the excerpt above, it is correct to state that Dworkin defends the reform of the concept of rights as trump cards, with the aim of not trivializing the claims of rights. In this sense, it is necessary to seek new collective justifications so that the concept of rights as trump cards can be rethought. (Dworkin, 2002)

In Dworkin's perspective, political rights could be considered as trump cards, according to the author:

Capturing this idea, we can affirm that political rights act as trump cards against justifications for political action that would otherwise be adequate. A policy is usually justified, for example, if it is going to make the community safer by reducing violent crime: on the whole, it is a good justification for raising taxes in order to better fund the police. (Dworkin, 2014, p.502)

According to the excerpt above, it can be stated that political rights can act as trump cards against political actions of the state, given that political actions are generally justified. Thus, being able to work for the good of the community. (Dworkin, 2014)

According to Dworkin, for a right to be considered an asset, it is necessary that this right be recognized in a community of principles, because in the philosopher's view, principles

have a weight in the legal system, given that principles work in a different logic from norms. Thus, developing the protection of fundamental rights. (Dworkin, 2014)

In Dworkin's theory, rights as trump cards are not to be confused with simple collective interests or with majoritarian public policies, as they act as limits to state decisions. Such rights require a moral foundation capable of justifying their protection even in the face of the will of the majority, ensuring individuals the possibility of claiming fundamental rights before the public power. (Dworkin, 2014)

Thus, Dworkin states:

To ask sensibly whether we have a right to liberty in this neutral sense, we must fix ourselves in a single sense of the word 'right'. It is not difficult to find a meaning of this term that allows us to say, with some confidence, that men have a right to freedom. We can say, for example, that a person has a right to freedom if it is in his interest to have freedom, that is, if he wants to have it or if it is good for him to have this right. In this sense, I would be prepared to admit that citizens have a right to freedom. In the same sense, however, I would also have to concede that they have a right, at least in general terms, to vanilla ice cream. Moreover, my concession of liberty would have very little value in the political debate. Therefore, if it is up to the right to freedom to play the role tailored for it in the political debate, it needs to be a right in a much stronger sense (...). In the strong sense I have described, a successful claim to a right has the following consequence. If a person has a right to something, then it is wrong for the government to deprive him of that right, even though it is in the general interest to do so. (Dworkin, 2002, p.414)

According to the excerpt above, it is correct to state that Dworkin defends the idea that the conception of having or not having a right would be a matter of interpretation. In this context, Dworkin argues that interpretation is fundamental to the understanding of a right as an asset. Because Dworkin's theory is based on a question of interpretation of legal and moral concepts, in the excerpt above the author uses as an example with regard to the concept of freedom it is necessary to develop it for citizens to be able to claim their rights. (Dworkin, 2002)

Thus, Dworkin argues that the concept of rights as trumps is configured as moral rights that form their justification from an interpretative question. For the author, a right is considered an asset when this right is recognized in a community of principles, because in the author's view such a right must present arguments in consolidated concepts of principles, such as freedom and equality. (Dworkin, 2014)

Rights as trump cards are methods that aim to protect citizens against state arbitrariness. From this perspective, this concept defends the use of morality to create a justification to guarantee fundamental rights, based on consolidated concepts such as the freedom to claim rights before the public power. (Dworkin, 2002).

In view of this, the next topic will address judicial activism from the perspective of rights as trump cards.

### **3 JUDICIAL ACTIVISM FROM THE PERSPECTIVE OF RIGHTS AS TRUMP CARDS**

Judicial activism can be understood as a form of counter-majoritarian action by the Judiciary aimed at protecting fundamental rights. From this perspective, the courts assume a relevant role in containing public policies that violate constitutionally guaranteed rights. (Abboud; Lunelli, 2015)

From the perspective of the concept of rights as trump cards, this action is legitimized when it is based on legal principles endowed with moral content, allowing the Judiciary to ensure the effectiveness of the rights of individuals even in the face of arbitrary political decisions. (Dworkin, 2002)

For Dworkin, judicial activism aims at the Judiciary in the defense of fundamental rights. Due to the fact that the state creates laws that can harm certain social groups, thereby affecting the distribution of rights in society. (Dworkin, 2014)

In addition, it is important to highlight that judicial activism according to the concept of rights as trump cards, it is necessary for the judiciary to have a representative role, that is, to defend the rights of citizens in the face of the omission of the public power. In this case, the judiciary would act more actively to guarantee fundamental rights to individuals. (Dworkin, 2003)

According to Dworkin, the Judiciary Branch to ensure a fair distribution of rights, it is necessary for the courts to develop constitutional concepts. For example, freedom, equality and human dignity, as the author argues that if the judiciary manages to make a consolidated definition of such concepts, the distribution of rights will be done in a fair and equal way. (Vitório, 2011)

For Dworkin, the Judiciary cannot contribute to the maintenance of public policies that do not distribute rights fairly, because judicial activism based on the concept of rights as trump cards aims to develop constitutional concepts to ensure a fair distribution of rights and guarantee protection to individuals from the arbitrariness of public power. (Dworkin, 2003)

In this way, Dworkin argues that judicial activism, in the light of the concept of rights as trump cards, configures a counter-majoritarian action of the Judiciary aimed at the protection and distribution of fundamental rights. From this perspective, the courts resort to a more developed interpretation of constitutional principles, in order to ensure that individuals are able to exercise their rights in the face of state policies that violate them. (Dworkin, 2002)

Thus, the next approach to the work will be the principle of human dignity according to rights as trump cards.

#### **4 THE PRINCIPLE OF THE DIGNITY OF THE HUMAN PERSON ACCORDING TO RIGHTS AS TRUMPS**

The theory of rights as trumps understands human dignity as a principle that aims to enforce basic rights for individuals. Thus, this principle is essential for the achievement of a fair and equal distribution of rights. (Dworkin, 2014)

In addition, the principle of human dignity aims to protect the maintenance of citizens' basic guarantees. This principle seeks to help in the claim of rights in the face of unjust public policies, in this case, human dignity intends to reinforce a distribution of rights based on equality and justice, without interfering in the life project of the citizens of the community. Thus, individuals are able to live harmoniously in society. (Dworkin, 2014)

In this context, the principle of human dignity according to the concept of rights as trump cards is to guarantee a life in which individuals have the same rights in society and live together equally and autonomously. According to Dworkin's analysis of human dignity, it is important to emphasize that this individual cannot be subjected to any degrading treatment, such as torture, forced labor, and is treated with equal consideration. Thus, according to Dworkin, if the rights of individuals are violated, this would lead them to indignity. (Dworkin, 2007)

According to Dworkin, the principle of human dignity has a moral value that makes it intrinsic, taking into account the way the individual manages his personal life. In this case, human dignity would act as an asset when public policies privilege the central aspect of the value and importance of human life. (Dworkin, 2007)

The principle of the dignity of the human person according to the concept of right as trumps seeks to defend the concept of intrinsic value that must be respected among individuals, because human dignity is an inherent characteristic of individuals, and cannot be replaced in any way, because the principle under analysis is based on the reasoning that the human being has an end in himself, And from the moment the human being is considered rational, dignity is already guaranteed to the individual. Thus, being an absolute value that cannot be taken from individuals. (Kant, 2009)

Furthermore, Dworkin states that human dignity should not be understood only to grant rights to individuals. However, this principle must ensure the distribution of rights with the objective of citizens obtaining a way of life according to the individual claims of each one, such as, for example, human dignity must guarantee individuals the right to basic health,

since health is not considered only as a right granted to citizens, but a fundamental condition for individuals to achieve their life projects. (Salgado; Pinheiro, 2019)

In this way, human dignity aims to promote basic guarantees to individuals, as a way for them to succeed in their individual goals, without interfering in the distribution of rights of the citizens of the community, and the role of the judiciary in situations of arbitrary policies is important. In this sense, the principle under analysis is fundamental for harmonious coexistence in society. (Dworkin, 2014)

Thus, it is correct to state that the principle of the dignity of the human person according to the concept of rights as trumps is divided into two main foundations: The principle of intrinsic value, aimed at the analysis of the actions of human life, and the principle of personal responsibility, which supports the idea of autonomy of individuals in relation to their own choices. In this way, human dignity acts as an asset to the extent that it ensures the fundamental conditions for each individual to build his or her own life project. (Dworkin, 2014)

That said, the article moves on to the main theme of the research in which the central premise for the answer to the work problem will be exposed.

## **5 HOW DWORKIN'S CONCEPT OF RIGHTS AS TRUMP CARDS ANALYZES THE PRINCIPLE OF THE DIGNITY OF THE HUMAN PERSON IN THE PHENOMENON OF JUDICIAL ACTIVISM**

As seen earlier, the principle of the dignity of the human person in the Dworkinian perspective is divided into two principles, which are the principles of intrinsic value and personal responsibility. Thus, ensuring the way of life of individuals in society and their fundamental rights. (Dworkin, 2014)

In addition, it is worth noting that Dworkin in his theory of law as an asset was observed that this concept aims to defend individuals in the face of arbitrary public policies of the state, in which Dworkin defends the use of a justification based on morality in order to guarantee fundamental rights, and using consolidated concepts such as equality to claim rights before state power. (Dworkin, 2014)

In this sense, Dworkin explains that judicial activism according to the concept of rights as trumps would be a way for the judiciary to act in a counter-majoritarian way, that is, the courts must define explanations of constitutional concepts, to guarantee fundamental rights to citizens in order to prevent public policies of the state that harm the distribution of rights. (Dworkin, 2002)

According to Dworkin, it is important to emphasize that Dworkin's position in the theory of law as an asset is the use of moral justification to prevent public policies of the state from harming the distribution of rights in a fair way. (Morrison, 2006)

Regarding the principle of the dignity of the human person, it is worth noting that this principle, according to Dworkin's concept of rights as trump cards, it can be said that this principle aims to guarantee the basic conditions for individuals to build their own lifestyle autonomously. In this sense, the principle of human dignity presents itself as a principle that guarantees the necessary conditions for citizens to achieve their individual goals. (Dworkin, 2011)

In addition, the principle of human dignity based on rights as trump cards in judicial activism, it is necessary for the courts to develop the concepts of constitutional principles in order to achieve an equal distribution of rights without harming the way of life of citizens. In this case, the judge, for Dworkin, must adapt such principles to the political morality adopted by the community. (Brandão, 2024)

Dworkin states that judges should use principles based on moral justification. Thus, it is necessary for magistrates to develop the concept of human dignity, in order to guarantee individual rights for citizens to be able to structure their way of life autonomously. (Dworkin, 2003)

From the perspective of the theory of rights as trump cards, it can be emphasized that the principle of the dignity of the human person in judicial activism must be interpreted by the courts according to moral justifications. In addition, the judge must adapt the principle to the political morality of the community, as a way of ensuring a distribution of rights based on equal consideration. (Dworkin, 2014)

Dworkin, in the concept of rights as trumps, argues that the interpretation of the principle of human dignity must be understood from a moral foundation. Because it improves the understanding of the courts when using this principle, to ensure the protection of fundamental rights in the face of state arbitrariness. Therefore, the development of the interpretation of human dignity is essential to understand this principle in the concept of rights as trumps. (Abboud; Motta, 2021)

In this line, in order to understand the principle of the dignity of the human person in judicial activism from the conception of rights as trump cards, it is necessary to understand that the concept of human dignity by the courts is an interpretative issue. Because interpretation in Dworkinian logic plays an important role when judges create justifications based on moral principles to ensure an equal distribution of rights. (Abboud; Motta, 2021)

For Dworkin, the judge must ensure that the principle of human dignity is respected, and it is necessary to use the principles of personal responsibility and intrinsic value, since these principles are essential to understand human dignity. Thus, respecting the principle of human dignity. (Dworkin, 2007)

Thus, Salgado and Pinheiro state:

[...] Axiological neutrality on this interpretation is not possible, since, when interpreting the constitutional text, the interpreter performs a moral reading and it is important that this be the case in order to guarantee respect for human dignity. (Salgado; Pinheiro, 2019, p. 15)

According to the excerpt above, it is correct to state that for the judge to respect the principle of human dignity, it is necessary to make an interpretation based on morality and not from an axiological neutrality, because in this case the judge will be able to guarantee a correct use of the principle of human dignity, considering that a moral justification will be used for the understanding of this principle. (Salgado; Pinheiro, 2019)

In view of the above, it can be stated that the concept of rights as trump cards allows us to understand the principle of the dignity of the human person, in the context of judicial activism, based on the principles of personal responsibility and the intrinsic value of human life. Based on these foundations, the Judiciary is capable of developing an adequate moral justification for the realization of an equal distribution of rights, ensuring citizens the basic conditions necessary for the autonomous construction of their life projects.

## 6 CONCLUSION

Finally, the present study sought to understand, in view of the concept of rights as trump cards, how the principle of the dignity of the human person can be understood in judicial activism, and how this principle can help in the construction of a moral justification to ensure a fair distribution of rights.

In the course of the research, it was sought to understand the following points: The representative performance of the judiciary in the face of the state's omissions; How human dignity can ensure better conditions for individuals without harming their individual projects and the importance of judicializing public policies that are harmful to social harmony.

In this sense, the counter-majoritarian action of the judiciary from the perspective of Dworkin's theory seeks to effect a fair distribution of rights based on equal consideration. With regard to the aspects dealt with on human dignity, it is correct to state that this principle has the purpose of ensuring individual rights so that citizens can live together according to their needs. Thus, it is concluded that the central premise of the work was confirmed, because

Dworkin's theory aims to understand the importance of human dignity and the active performance of the judiciary for the construction of a just and egalitarian society.

In view of all the above, it is concluded that rights as trump cards allow us to understand the principle of the dignity of the human person, in the context of judicial activism, as an essential instrument to guarantee fundamental rights. From this perspective, it is up to the judge to resort to adequate theoretical foundations, especially the construction of moral justifications, which, according to Dworkin, are indispensable for the Judiciary to ensure the protection of individuals in the face of arbitrary public policies and to render fair judicial decisions committed to the realization of human dignity.

## REFERENCES

- Abboud, G., & Lunelli, G. (2015). *Ativismo judicial e instrumentalidade do processo*. Revista dos Tribunais.
- Barbosa, E., & Costa, T. C. A. (2016). *A concepção de dignidade humana em Ronald Dworkin: Um problema de ética prática*. Revista de Filosofia (Pelotas).
- Barroso, L. R. (2018). *Contramajoritário, representativo e iluminista: Os papéis das cortes constitucionais nas democracias contemporâneas*. Revista Direito e Práxis.
- Brandão, A. R. (2024). *Ronald Dworkin: Princípios e integridade*. Revista da Defensoria Pública RS.
- Brito, L. A. G. de S. M. de. (2018). *Direito ambiental versus justiça ambiental: Crítica ao ativismo judicial em matéria de meio ambiente*. Revista de Direito Ambiental.
- Dworkin, R. (2002). *Levando os direitos a sério* (N. Boeira, Trad.). Martins Fontes. (Obra original publicada em 1977)
- Dworkin, R. (2003). *O império do direito* (J. L. Camargo, Trad.). Martins Fontes.
- Dworkin, R. (2007). *Uma questão de princípio*. Martins Fontes.
- Dworkin, R. (2009). *Domínio da vida* (J. L. Camargo, Trad.). Martins Fontes.
- Dworkin, R. (2011). *A virtude soberana: A teoria e a prática da igualdade*. Martins Fontes.
- Dworkin, R. (2014). *A raposa e o porco-espinho: Justiça e valor*. Martins Fontes.
- Fernandes, B. G., & Pedron, F. Q. (2008). *O poder judiciário e(m) crise*. Editora Lumen Juris.
- Kant, I. (2009). *Fundamentação da metafísica dos costumes* (G. A. de Almeida, Trad.). Discurso Editorial: Barcarolla. (Obra original publicada em 1785)
- Martel, L. de C. V. (2007). *São os direitos como trunfos disponíveis? Reflexões à luz da teoria dos direitos de Ronald Dworkin*. Revista de Direito do Estado.
- Morrison, W. (2006). *Filosofia do direito: Dos gregos ao pós-modernismo* (J. L. Camargo, Trad.; G. S. L. Rios, Rev. técnica). Martins Fontes.
- Novais, J. R. (1996). *Renúncia a direitos fundamentais*. In J. Miranda (Ed.), *Perspectivas constitucionais nos 20 anos da Constituição de 1976* (pp. ?). Coimbra Editora.

- Peduzzi, M. C. I. (2009). O princípio da dignidade da pessoa humana na perspectiva do direito como integridade [Dissertação de mestrado ou tese, Universidade de Brasília].
- Rodrigues, S. M. (2005). A interpretação jurídica no pensamento de Ronald Dworkin. Almedina.
- Salgado, Y. S. B., & Pinheiro, V. S. (2019). Os princípios éticos da dignidade humana à luz da democracia associativa de Ronald Dworkin. *Revista de Teorias da Democracia e Direitos Políticos*.
- Vitório, T. B. da S. C. (2011). O ativismo judicial como instrumento de concreção dos direitos fundamentais no Estado democrático de direito: Uma leitura à luz do pensamento de Ronald Dworkin [Dissertação de mestrado ou tese, Pontifícia Universidade Católica de Minas Gerais].