

VILNIUS UNIVERSITY

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# The Challenge of R. Dworkin's Practical Philosophy: The Problem of a Grounding of Morality

**SUMMARY OF DOCTORAL DISSERTATION**

Humanities,  
Philosophy (H 001)

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VILNIAUS UNIVERSITETAS

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NOREIKAITĖ

# Ronaldo Dworkino praktinės filosofijos iššūkis: moralės pagrindimo klausimas

**DAKTARO DISERTACIJOS SANTRAUKA**

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## SUMMARY

### **Thematic context and problem**

The question of how we should think and talk about morality and ethics is one of the greatest challenges in contemporary moral philosophy. It invites philosophy to take a closer look at itself and to inquire its own assumptions and potential. In radical cases, such inquiry might turn into a fundamental critique of philosophy. For instance, a famous philosopher of 20<sup>th</sup> century, Bernard Williams (2006), explicitly criticises contemporary moral philosophy for its tendency to construct theories supposedly revealing grounding moral principles. He openly conveys his distrust in the potential that the philosophy has in ethics. Williams' friend and colleague, an American philosopher Thomas Nagel, also repeatedly expresses his concern that contemporary philosophical methods and concepts, as well as extensive admiration of objectivity, do not help, but instead prevent us from gaining a better understanding of the world and especially of ourselves (Nagel 1989: 7-10; 1998: 338). Nagel opposes a tendency to take objectivity as the main criterion in moral thought and looks for a possibility to integrate objective and subjective perspectives that are both indispensable for us as moral subjects. Such philosophers as Alasdair MacIntyre (2007) and Christine Korsgaard (1996) also express their critical doubts about contemporary moral discourse, which has developed under the influence of modernity<sup>1</sup>, and search for alternative or modified ways to approach moral questions. Yet one of the newest and most ambitious attempts not only to raise this question,

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<sup>1</sup> All the mentioned philosophers have addressed the influence of modernity on ethics more or less critical.

but also to give a constructive response belongs to an American philosopher of Lithuanian origin<sup>2</sup> Ronald Dworkin<sup>3</sup>.

Commonly, Dworkin is foremost considered to be a political or legal philosopher. However, with his article “Objectivity and Truth: You’d Better Believe It” (1996) which later was expanded into a book *Justice for Hedgehogs*, he openly steps into the field of moral philosophy. Dworkin opposes a tendency in moral discourse to approach fundamental moral questions about the nature, status, objectivity and grounding of morality from an Archimedian, third-person perspective that is external to the ordinary view of a moral subject<sup>4</sup>. According to Dworkin, such an approach considers morality to be an object or phenomenon that can be investigated externally and therefore distort our understanding of it that is inherent in us as agents. Dworkin argues that we “need a cleaner break, a new revolution” (Dworkin 2011: 418) against all the external attempts to ground morality on science or metaphysics. As per Dworkin, such revolution would not only allow us to take the independence of morality seriously, to trust that first-person point of view which is characteristic of us as moral subjects but it would also enable us to approach even the most fundamental moral questions with methods and concepts that we find inside this perspective, rather than outside of it. According to one of the most famous Dworkin’s researcher Stephen Guest, Dworkin’s main message is clear and quite simple: “get on with thinking straight about ethical and moral questions” (Guest 2013: 2).

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<sup>2</sup> Dworkin has once admitted that to his knowledge, his father was born in Lithuania, but left to the USA as a child (Liptak 2005: 15).

<sup>3</sup> Dworkin was a friend and colleague of Williams and Nagel, they shared a common interest in moral and political questions and at various occasions discussed their ideas together. However, a more detailed comparative analysis between these three thinkers is not pursued in this dissertation, as it would require a more extensive research and is out of scope of this dissertation.

<sup>4</sup> In this dissertation terms “moral subject” and “agent” are used as overlapping and sometimes even interchangeable concepts.

However, as Guest has noticed, despite the clarity of the message and the elegance of Dworkin's writing style, *Justice for Hedgehogs* being one of his most important books is at the same time one of the most difficult ones and might need "another generation or two before what he has said in that book sinks in" (Guest 2013: 10).

We can see Dworkin's ethics as constituted of two parts – one being critical and the other one constructive. The first one, which has metaethics, a branch of analytical moral philosophy that has dominated discourse since the 20<sup>th</sup> century, as its main object of critique, has already received substantial attention. Defensive reactions are presented by those who represent error theory (Pigden 2007; Olson 2011; Perl, Schroeder 2019), expressivism (Blackburn 1998; Gibbard 2003; Tiefensee 2014) and even moral realism (Smith 2010; McPherson 2011; Rodriguez-Blanco 2012; McGrath 2013; Shafer-Landau 2010, 2014), even though the latter philosophical attitude at first glance seems quite close to Dworkin's. However, this extensive opposition should not surprise us, because, as Dworkin declares, his critique for metaethics aims at its very roots and should be understood broadly – as affecting all of its branches from John Mackie's error theory (Dworkin 2011: 46-51) to A. J. Ayer's emotivism, R. M. Hare's prescriptivism and their offspring theories (Dworkin 2011: 32-33), as well as to thinkers that represent and develop metaethical realism (Dworkin 2011: 417-418; 1996: 127). According to some of the studies (Kalderon 2013; Jokubaitis 2013, 2014; Kramer 2017; Orsi 2020), Dworkin's critical arguments are not aimed at the specifics of different metaethical theories. Instead, they should gain a conceptually broader understanding as being aimed at the underlying metaethical way of approaching morality, which unites in other respects extremely different theories and allows them all to be called by one name – metaethics. Dworkin criticises a specific externality that is characteristic of metaethics. This externality is an attempt to analyse fundamental moral questions on a theoretical, metaphysical, scientific, meta-level that is withdrawn from a direct

moral judgment which is always made from a first-person perspective of an agent. According to Dworkin, morality<sup>5</sup> is a “separate department of [thought] and knowledge with its own standards of inquiry and justification” (Dworkin 2011: 17), therefore, he rejects both the possibility, and the need for any moral inquiry, knowledge or grounding that would be external to morality.

Nevertheless, the question arises on how should such autonomy be perceived and how to define a position that would allow us to think and talk about morality without turning it into an external theoretical object? This question is the basis of a constructive side of Dworkin’s moral thought that so far attained much lesser attention in the discourse. This question is also at the centre of this dissertation, which attempts to reconstruct and assess Dworkin’s conception of a position that is internal to morality<sup>6</sup>. Therefore, in this dissertation discussions between Dworkin and metaethical thinkers are not extensively analysed and his conception of metaethics<sup>7</sup> is not questioned but rather

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<sup>5</sup> To maintain conceptual consistency concepts “morality” and “ethics” are used in Dworkin’s defined meaning. He uses “the terms “ethical” and “moral” in what might seem a special way. Moral standards prescribe how we ought to treat others; ethical standards, how we ought to live ourselves” (Dworkin 2011: 191). The term “ethics” more frequently refers to classical philosophy, which raises questions about “a good and virtuous life”; the term “morality” refers to modern moral philosophy and its question, how we should act and treat others. Dworkin assumes and argues that both fields are integrally related: we cannot be fully ethical without morality and fully moral without ethics. These concepts are closely related and might be used synonymously depending on the context emphasising one aspect and having in mind the other as integrally related. This is how these concepts are used in this dissertation.

<sup>6</sup> In this dissertation terms such as “a position that is internal to morality” and simply “internal position” are used synonymously. Basically, they both mean a position that is internal to the first-person perspective of an agent. The research attempts to show that this is exactly the meaning which is at least implicitly intended in Dworkin’s moral theory.

<sup>7</sup> There were some attempts to question and argue about his critique and conception of metaethics based on its generality (Star 2010: 97; Smith 2010:

referred to. In general, Dworkin's critical part is invoked only to reconstruct and bring out his assumptions for the internal position. Dworkin himself associates this internal position with a so-called ordinary view (Dworkin 2011: 26-28) – a perspective that is characteristic of moral subject as an agent. This is a perspective that takes all the moral concepts and questions, even the most fundamental epistemological or ontological ones about the moral truth and objectivity, at face value – as moral judgments that in one way or the other guide our practical lives. Dworkin develops his conception of the internal position and defines it as an interpretative and evaluative department of thought, a certain moral reasoning, where all the moral concepts, beliefs, convictions and judgements constitute a dynamic and reflective framework of an individual moral personality or a “filter” for its will. According to Dworkin, defining morality as an autonomous moral reasoning allows us to reject those methods and concepts that are established by different external, scientific or metaphysical influences, and re-embrace the ones that resonate more adequately with our practical experience of morality.

Dworkin is not the first one to acknowledge the importance of a first-person agent's perspective on ethics. This topic is investigated quite extensively in moral philosophy and other related fields. For instance, Nagel (1986, 1998) and Korsgaard (1996, 2008, 2009) emphasize its importance for any attempts to adequately understand morality and moral subjects and integrate it into their own ethical theories. In their studies, Christopher Tollefsen (2006), Mark Rowlands (2008), Alla Choifer (2018), Katja Crone (2018, 2020) focus on the explication and development of the grounding and potentialities of this perspective. Although explorations of this perspective are generally related to questions of the grounding or sources of morality, the importance of this exploration is also seen

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512; Orsi 2020: 434), as well as acknowledgment that Dworkin's approach is legitimate and might suggest fruitful insights about the condition of contemporary moral philosophy (Kalderon 2013: 133, Kramer 2013: 118).

even in such practically orientated fields as bioethics (Edwards, Jones, Thacker, Swisher 2014). However, this dissertation focuses exclusively on the reconstruction and analysis of Dworkin's position, not its localization in a wider context. Even though such character of the research might appear as slightly hermetic, this specific approach is chosen considering the limited scope of a dissertation format and the intention of proposing as thorough and consistent analysis and assessment of the internal position that Dworkin suggests as possible. The question raised in this dissertation is as follows: is Dworkin's attempt to introduce a consistent position that is internal to morality successful? Yet it might be that his aim not only to give an extensive critique against any external approach to morality, but also to explicate such a conception of internal position that would help to think about morality without objectification, remains an unresolved challenge. In other words, this research attempts to critically assess Dworkin's conception of an internal position in the context of his own philosophical aims – especially his aim to provide a fully internal, non-objectifying approach to morality. After arguing that this aim was not fully achieved, this dissertation develops its own suggestion on how this challenge could be faced and resolved.

### **Research aims and objectives**

The main research aim is 1) to demonstrate that despite Dworkin's critique against external approach to morality, his proposed conception of internal position is not sufficiently developed in order to realize his aim – an approach to morality that could explicate a non-objectifying conception of it, and 2) to argue that invoking a conception of a person as the explication of an internal position helps to realize this aim. In other words, the aim is after reconstructing Dworkin's conception of internal position, to show its limits while seeking his own aims and at the same time by invoking the conception

of a person, to develop his attempt to find a non-objectifying approach to morality.

The aim of the dissertation is achieved by pursuing the following objectives:

- 1) To show that Dworkin's explicit critique against metaethics should be interpreted as conceptually wider – as a critique for any external and objectifying approach to morality.
- 2) To propose an argument, justifying Dworkin's suggestion to approach morality from a position that is internal to it.
- 3) To argue that Dworkin's aim to develop a non-objectifying approach to morality is possible only through explicating an internal position that is intrinsically linked to the first-person perspective of a moral subject, hence only through delineating an outline of the moral subject himself.
- 4) To demonstrate that, despite Dworkin's critique for an external approach to morality, his proposed conception of internal position is itself still too external, hence insufficient for explicating a non-objectifying approach to morality.
- 5) To propose arguments on why the conception of a person, invoked as an explication of internal position, allows to realize Dworkin's aim of a non-objectifying approach to morality better.

## **Method**

The analysis and critique of Dworkin's proposed internal position is accomplished by employing reconstruction of his arguments and by invoking the conception of a person for the constructive explication of his position beyond its original limits.

An internal, non-objectifying position is reconstructed by showing its close relation to the first-person perspective of a moral subject, which is expounded in Dworkin's moral philosophy (Dworkin 1996, 2011) and by briefly delineating its genealogical roots in Dworkin's legal and political philosophy (Dworkin 1977, 1985, 1986, 1993, 2000, 2004, 2006). While supplementing insights made by Guest (2013) and Jokubaitis (2013, 2014) and opposing those authors who identify Dworkin's critique for an external approach to ethics only with critique against metaethics<sup>8</sup>, it is argued that this critique should be perceived as being conceptually broader. It is also argued that Dworkin's suggestion to approach morality from an internal position (which is identified with a first-person perspective of a moral subject), so that a non-objectified conception of morality would be achieved, is a justified one.

While analysing Dworkin's conception of internal position, critical arguments, made by Williams (2001), Allen (2009), Rodriguez-Blanco (2012) against Dworkin are supplemented and developed. Employing some insights made by Rowlands (2008) and Choifer (2018) about the specifics of first-person perspective, the limits of Dworkin's conception of internal position that prevent him from developing a conclusive non-objectifying conception of morality are explicated. Referring to the ideas of Kant (1987, 2013) and Spaemann (2017, 2000), as well as some insights of metaphysicians A. W. Moore (2012) and A. J. Lowe (2002), arguments are made that at least some of the inconsistencies in Dworkin's position arise because of an extremely narrow and one-sided interpretation of metaphysics. It is argued that such interpretation limits his conception of internal position which is unable to answer critical questions. However, it should be noted that this assessment of Dworkin's conception of internal position is not purely critical, but rather intended as a

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<sup>8</sup> Smith (2010), Star (2010), Shafer-Landau (2010, 2014), Kalderon (2013), Kramer (2017), Orsi (2020).

preparation for its constructive development after identifying its limits.

Therefore, a conception of a person, developed by German philosopher Robert Spaemann, is invoked in order to identify why and how this conception enables us to explicate and develop a truly internal position more consistently as well as to achieve Dworkin's aim of explicating a non-objectifying approach to morality. This dissertation does not attempt to develop a comparative analysis between Dworkin and Spaemann. Rather, conception of a person is seen as a vehicle for developing Dworkin's conception of internal position and explicating more consistently those aspects of Dworkin's conception that are shown to be limited or inconsistent. Therefore, this dissertation does not give a comprehensive analysis and critique of Spaemann's philosophy, but rather seeks to achieve a concentrated focus only of his conception of a person. Arguments why Spaemann is chosen as a key author for the conception of a person are the following. First of all, his conception of a person together with the influences of Plato, Aristotle, Augustine, Thomas Aquinas, integrates and in that way, represents a huge part of German philosophical tradition, for whom the question of (moral) subject was extremely important. According to Holger Zaborowski, such German philosophers as Kant, Schelling, Scheler, Heidegger and all the transcendental and phenomenological tradition are important influences on Spaemann (Zaborowski 2010: 17, 30-34, 40-41, 61, 183). This regard to classical German philosophy gives Spaemann's conception of a person a possibility to transcend the conceptual limits of analytic tradition and articulate those aspects of the internal position that were inaccessible for Dworkin more fully.<sup>9</sup> However, this dissertation does not give any additional attention and analysis for a

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<sup>9</sup> This dissertation takes Nagel's idea that in contemporary philosophy our inability to come up with an intelligible conceptions and answers to our questions is "a sign of the inadequacy of our present concepts" as a presupposition (Nagel 1998: 338).

wider context of phenomenological tradition and separate influences on Spaemann are not discussed in this research. Such analysis would need a separate and a thorough research that is beyond the scope of this dissertation. At this point Spaemann's conception of a person, integrating a lot of concepts and assumptions characteristic of phenomenological tradition, is chosen as a specific representative of the tradition. Secondly, Spaemann's conception of a person integrates a lot of profound insights from other personalists and reacts against some of the authors developing ideas about the personal identity in analytic tradition. Hence, it is not limited to one tradition, but rather is open for a dialogue which builds bridges between separate traditions and philosophical currents. In this regard, Spaemann's conception of a person can be taken to be one of the most developed and comprehensive conceptions of a person in contemporary philosophy.

## **Theses**

The main thesis of the dissertation is as follows: despite Dworkin's critique of any external approach to morality, his conception of position that is internal to morality is too limited for achieving his aim of articulating a conclusive internal, non-objectifying approach to morality. This aim can be realized by invoking a conception of a person as a condition and explication of an internal position.

The dissertation argues that:

- 1) Despite the predominant view that the main object of Dworkin's critique is metaethics, this critique is rather conceptually broader; it applies to a broader tendency in contemporary ethical thought to think and talk about morality from an external, third-person, hence, objectifying perspective.
- 2) Despite critical arguments against Dworkin, his proposal to approach morality from a position that is itself internal to morality is well justified, because only such a position allows us to approach morality as morality – as a field of moral

consideration and judgment that is characteristic of us as moral subjects.

- 3) Dworkin's aim to explicate an alternative to an external approach to morality – an internal position – is intrinsically related to the question of a moral subject.
- 4) Dworkin's conception of an internal position remains too external and limited, hence it is not sufficient for achieving his aim to explicate a non-objectifying approach to morality.
- 5) The conception of a person allows to explicate a position that is truly internal to morality and a perspective of an agent, hence it helps to achieve Dworkin's aim and becomes a condition for such an approach to morality that avoids externality and any objectifying tendencies that go with it.

### **Scientific novelty of a research**

In contrast to the majority of studies in contemporary moral discourse, this dissertation focuses not on a critical, but a constructive part of Dworkin's moral philosophy. The dissertation proposes an explication of Dworkin's constructive ethical position and its presuppositions. It shows that the whole Dworkin's ethical project is intrinsically related with the conception of a position that is internal to morality and should therefore be interpreted as a first-person perspective that is characteristic of an agent. In other words, this research shows that the autonomous, non-objectified conception of morality that Dworkin argues for is possible only by delineating at least an outline of a conception of a moral subject.

This dissertation is not limited by interpretation of Dworkin's moral philosophy only in the field of metaethics. It focuses on a constructive side of Dworkin's ethical thought and presumes that the potential of this side transcends metaethical and perhaps even purely analytical presuppositions.

Although this dissertation examines the limits of Dworkin's position, its main aim is to propose a constructive development of Dworkin's position considering his intended aims. By invoking the conception of a person, this research proposes constructive arguments on how the limits of Dworkin's position can be resolved and the main Dworkin's aim of explicating a non-objectified conception of morality that resonates with our practical experience as agents can be realized. No similar research in contemporary discourse was found.

## **Conclusions**

- 1) After reconstructing and explicating Dworkin's conception of the position that is internal to morality, the dissertation concludes that despite a common tendency to interpret Dworkin's critical position as a critique against metaethics, it should be interpreted as conceptually broader critique against any external approach to morality. Features of an external approach to morality can be found not only in various philosophical theories, but also in everyday practical considerations about morality. The main feature of this external approach is not, as commonly thought, its neutrality, but its dissociation from a first-person perspective that is inherent in us as agents, hence, its attempt to approach morality as an object or phenomenon that is independent from us as moral subjects.
- 2) Dworkin's proposal to approach morality exceptionally from a position that is internal to morality is well justified, because only such an internal position provides us with the ability to perceive morality the way we perceive it in our everyday practice. It is perceived as a field of moral judgement, within which we live and act as moral subjects. There is an implicit argument in Dworkin's moral thought which states that any kind of external approach to morality *a priori* dissociates itself

from the field that we consider to constitute morality – a field of value judgments, personal experience of moral situations and questions, the normative necessity to answer them and to act in an ethical manner. In other words, an external approach to morality dissociates itself from a position, where we face morality in the first place, a position that is characteristic of us as moral subjects. Hence, despite its promise to find objective knowledge of morality, external approach becomes the main obstacle to achieve that.

- 3) Dworkin's aim to explicate a non-objectified conception of morality is possible only by proposing an approach to morality that would be intrinsically linked with the first-person perspective of an agent, hence, explicating an internal position that is at the same time an outline of a conception of a moral subject. Purely practical explication of such perspective is not sufficient as an open question remains about the grounding of this perspective and raises practical doubts about the trustworthiness of the perspective and concepts we find inside it. To respond to such doubts, an internal conception of a moral subject should be explicated as a precondition of this perspective.
- 4) Despite Dworkin's critique against external approach to morality, his explication of a position that is internal to morality itself remains too external, therefore reductive and insufficient for explicating a non-objectifying approach to morality. Dworkin explicates only the objective part of an internal position but leaves the subjective part undeveloped. Dworkin's conception of morality as a separate department of interpretative moral reasoning also remains too rationalistic and turns a multifaceted internal moral experience into rationalistic consciousness. It is unable to explicate those moral matters that cannot be reduced solely to rationally definable values and arguments. The limits of Dworkin's

position can be demonstrated by the analysis of four ethical categories; namely, self-respect, authenticity, dignity and responsibility. It shows that some inconsistencies and contradictions occur because of Dworkin's remaining externality. This externality is partially related to Dworkin's limited conception of metaphysics, which prevents him from acknowledging that some internal moral concepts can have different structural roles and functions; they function as internal ontological precondition for other concepts. In other words, it is possible and perhaps even necessary to develop a metaphysics that would be internal to morality and would enable us to understand it without objectifying it.

- 5) Invoking the conception of a person as an underlying internal condition for understanding morality shows that:
  - a) it allows us to avoid contradictions and inconsistencies that questioned Dworkin's conception of internal position as well as explicate this internality more consistently. The conception of a person integrates both the objective and subjective parts of internal position that is inherent in the moral subject and avoids one-sided interpretation of internal position which leads to objectifying it. It explicates the temporal structure of a person that allows to acknowledge a person's identity, but at the same time does not turn it into a static substance, hence does not reduce a person into an object. It explicates a person's complexity, which is found in the internal position and constitutes our practical reality, more comprehensively than Dworkin's conception of internal position.
  - b) it enables us to realize Dworkin's aim to explicate an internal, non-objectifying approach to morality more coherently. The conception of a person reconsiders the question of grounding of morality. It shows that, to the contrary of Dworkin's belief, this question can be raised

and answered without renouncing an internal perspective that is inherent in a moral subject. The conception of a person does not look for grounding that would be outside of morality as its theoretical, scientific or metaphysical validation or support. Instead it employs the first-person perspective internal to a moral subject and explicates certain aspects of this internal position that are necessary conditions for any understanding of morality. It also reveals that Dworkin's attempt to redefine objectivity in the field of morality, should take a further step, renounce the very concept of objectivity and replace it with a less scientific and more practically adequate one. The conception of a person also avoids individualistic understanding of morality which makes any normativity problematic. It explicates the underlying intersubjectivity as a necessary internal condition for morality and enables us to understand such ethical categories as promise, trust or friendship more thoroughly.

## THE LIST OF PUBLICATIONS

Noreikaitė, A. 2019. „Kodėl etikai reikiai metafizikos?“. In: *Problemos*, vol 96, pp. 8-22.

Noreikaitė, A. 2020. „Tarp kantiškojo racionalizmo ir moralės mistikos: moralės pagrindų paieška A. Jokubaičio filosofijoje“. In: *Politologija*, vol. 97, pp. 73-94.

## CURRICULUM VITAE

Aistė Noreikaitė is a lecturer at Vilnius University. Her main research interest is in moral philosophy. She obtained her BA and MA in Philosophy at Vilnius University (2010-2014, 2014-2016). Aistė teaches a postgraduate course on the relationship between morality and politics at the Institute of International Relations and Political Science, Vilnius University.

## NOTES

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