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GLOBAL BIOETHICS IN EUROPEAN CONTEXT

The article analyses the foundations and principles of global bioethics in the European ethical, legal and philosophical contexts. An analysis of European bioethics shows that there are at least three modern models of European bioethics: bioethics as metaethics; bioethics as biolaw; bioethics as applied biomedical ethics. European bioethics originates in the global bioethics of V.R. Potter and F. Jahr, and encompasses not only moral issues of medicine and public health, but also global environmental and social problems. In this context, the convergence of the natural and the human is seen as a rehabilitation of practical philosophy, a further study and development of the principles of practical reason, understood by analogy with the objective laws of nature. The study of constitutions, legislative and legal regulations of European countries has revealed a variety of bioethical principles in the field of biomedicine. However, at the level of

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legislation in biomedicine, there is a certain influence of the American model of bioethics, biomedical ethics, which is manifested in the principlism methodology and the weak connection between medical and environmental issues. Global bioethics in the European context is characterized by an intensification of bioethical reflection, social relationships and legislative activity in biomedicine within pan-European structures, such as the European Council and the European Union. The defining feature of global bioethics as a phenomenon of European culture and ethos is that its principles can be «activated» only as a semantic and logical integrity. Bioethical principles serve as a kind of harmonising factor of European biopolitics.

Keywords: global bioethics, bioethical principles, biomedical ethics, respect for human dignity, European bioethics, European ethos.

Introduction

Today, the growing number of publications focusing on bioethics is indicative of the rapid spread of bioethics as a scientific field and discipline throughout the world. Global social issues, such as *global health, global justice, poverty, inequality and vulnerability* are increasingly being addressed in bioethics (Ten Have & Gordijn, 2013; Morales-González, Tirado-Lule, González-Cisneros, et al., 2017: ch. 5). The global dimension of bioethics is a key focus, with an emphasis on the interconnectivity of medical, social and environmental issues with the phenomena of climate change and environmental degradation. Additionally, issues of socio-cultural, gender, environmental and social ethics are also a significant area of interest (Dwyer, 2009; Gruen & Ruddick, 2009).

A special issue of the international journal «Global Bioethics» entitled «What is Global Bioethics in the 21st Century?» published in 2022, with contributions from prominent authors in the field, highlights the lack of international cooperation and collaboration between countries in the areas of biosecurity and public health, ecology, population migration, wildlife poaching and trafficking, zoonotic outbreaks, biodiversity loss and climate change, among others, due to the underdeveloped social, feminist and environmental dimensions of global bioethics (Macklin, 2022; Richie, 2022; Tong, 2022; Ten Have, 2022b). The authors conclude that European civilization, founded on the values of civil society, needs new priorities and ethical principles of global bioethics, and further development of a common universalist morality.

Due to the COVID-19 pandemic, the number of scientific publications on medical ethics, biomedical ethics and global bioethics has continued to increase and the global perspective of bioethics has been updated (Ten Have, 2019; Ten Have, 2022a). Both traditional bioethical issues and global bioethical issues, such as fairness and transparency in the allocation of vital medical resources, the patient's right to autonomous choice and dignity, minimization of harm vulnerability, solidarity and cooperation between countries in global health in the context of human survival were brought into focus during the anti-epidemic, treatment and quarantine measures (Ten Have, 2022b).

The term «global bioethics» is the concept put forward by W. R. Potter in his book «Global Bioethics: Building on the Leopold Legacy» (Potter, 1988). According to Potter, global bioethics is the new *wisdom and knowledge*, «the morality of responsibility»,

that humanity needs to survive; it is «a secular program of evolving a morality that calls for decisions in health care and in the preservation of the natural environment» (Potter, 1988: pp. 152—153). He considered it a modern stage in environmental ethics, developing according to the following scheme: environmental ethics-environmental bioethics-global bioethics.

Potter's global bioethics can be seen as a special kind of interdisciplinary theoretical and practical knowledge and research. As we previously stated, in this sense, global bioethics is difficult to interpret unambiguously in terms of theoretical, practical, professional, applied and other ethics (Pustovit, 2009: pp. 38—39). At the same time, it can function as a universalist ethics of human survival in the era of globalisation.

In America, Potter's idea of combining medical and environmental bioethics did not gain popularity and the term «bioethics» began to be used as a synonym for medical ethics or health care ethics. As a consequence, the American socio-cultural sphere developed a pragmatic version of bioethics — biomedical ethics of T. Beauchamp and J. Childress based on four principles — *respect for autonomy, nonmaleficence, beneficence and justice*, which found followers in many countries (Beauchamp & Childress, 1994). Criticism of its axiological and theoretical-methodological framework became a starting point for the conceptualisation of European bioethics and biolaw, which have their principles, focuses, specific problems and ways of theorisation and justification (Pustovit, 2009: p. 269). According to some authors, it is in the European ethos that many of W.R. Potter's ideas found their rebirth (Muzur, 2017; Gordijn & Ten Have, 2014).

The first edition of V.R. Potter's «Global Bioethics: Building on the Leopold Legacy» was published in 1988, when the words «*global*» and «*globalisation*» had completely different connotations to the ones they have today. However, the fall of the Berlin Wall and the dissolution of the Soviet Union prompted F. Fukuyama to declare the «end of history», implying that communism and other types of authoritarianism had been defeated. The triumph of the market economy, along with the digital revolution, signified the beginning of a new kind of globalisation (Oryiz-Millan, 2022: p. 32).

The sort of globalisation that began in the 1980s has its own characteristics in all these dimensions, therefore it poses new and different bioethical problems. This new type of globalization has been defined as «*the expansion and intensification of social relations and social consciousness across world-time and world-space*» (Steger, 2013: p. 35; Pessini, 2018). It was shown that there emerged a new sort of sociality — global sociality — which is a worldwide system of competition and struggle, cooperation and coexistence of different socio-cultural models of human life, different societies and cultures (Proleiev & Shamrai, 2020: p. 93). Concurrently, the globalisation of the world and the development of the technological potential of mankind require the extension of the field of ethics to embrace the whole range of human interactions with the living world, i.e., the ecological dimension.

An increasingly globalised world poses new challenges to European bioethics, including cases that necessitate a global response and global bioethics. The need to revise traditional bioethical rubrics and issues and to develop new conceptual approaches to understand the phenomenon of «global bioethics» as the ethics of human survival in the European context has become evident.

The conceptual origins of global bioethics

In 1971, the American scientist and biologist Van Rensselaer Potter (1911—2001) put forward the concept of bioethics, a worldview and ethics of human survival that would combine biological facts and universal values, the values of preserving individual health and the environment. The scientist's fundamental work «Bioethics: Bridge to the Future» was published (Potter, 1971).

In the late 80s of the 20th century, V.R. Potter offered to turn «bioethics through 180 degrees» (Potter, 1988). He developed the concept of global bioethics as *an all-embracing and comprehensive ethics* aimed at the *acceptable survival* of humanity. Thus, by global bioethics he understood a coherent ethical viewpoint for various communities and countries, which would be aimed at solving global problems of humanity.

Acceptable survival involved not only biological survival, but also social stability, a sustainable society and a healthy ecosystem. The concept of individual health and Aldo Leopold's ecologically-based land ethics are at the heart of Potter's global bioethics.

Potter's concept is not the only one that claims to be a universal ethic. Similar concepts of planetary, noospheric, and international ethics were developed in the 20th century by a large number of other scholars, including V. Vernadskyi, G. Küng, M. Nissbaum, M. Weber, G. Jonas, J. Habermas, J. Rawls, K.-M. Mayer-Abich, et al. (Pustovit, 2023: p. 47). In many respects, Potter's ideas resemble those of Vernadskyi: humankind has progressed into a completely new phase of its existence, in which the traditional rules of biological evolution no longer apply and instead humankind is governed by *noospheric* laws of control and self-regulation, influenced primarily by human culture and scientific thought (Chiarelli, 2011; Whitehouse, 2003). But Potter was the one who attempted to use an interdisciplinary approach, fusing *natural science* and *humanitarian knowledge*.

Potter introduced the term «global bioethics» in order to emphasize its total, comprehensive nature. He encouraged scientists to pay attention to the global challenges that ethics confronts and to the fact that bioethics should not be confined solely to the sphere of human relations, but should be extended to the entire *biosphere as a whole* in order to regulate and control human intervention with various manifestations of life. He pointed out that, in this respect, global bioethics should combine two kinds of ethics: *medical and environmental ethics* (Potter, 1988: p. 74). On the one hand, medical and environmental ethics may act as independent spheres of theory and practice; on the other hand, they may be complementary. They do not overlap in the sense that the former is aimed at quickly achievable results, such as the freedom of individual choice in issues relating to improving the quality of health, while the latter pursues long-term objectives; its interest is in maintaining the ecosystem required for the long and continued existence of humankind.

At the same time, as medical and environmental ethics become more integrated into global bioethics, they begin to acquire meta-ethical aspects as a shared area of concerns is developed, supported by an appropriate new theoretical and methodological foundation. Potter's global bioethics offers a holistic view and insightful analysis of the life of human as a creature who is not only alive, intelligent and sentient, but also responsible for various levels of existence. The goal is not just to ensure the survival of

the human species suffering from countless diseases, hunger, insecurity and poverty, but also to promote the moral and spiritual growth of all individuals. Modern individual needs libraries, hospitals, means of communication and other achievements of science and culture as well as ideals and values of religion (Potter, 1988: p. 48).

Potter's *acceptable survival* means a survival adequate for the aspirations and intellectual potential of modern individual, who feels inextricably linked to the outer world. To him, nature, which is not only of instrumental value but also of spiritual value. To achieve and maintain a decent standard of life, people should not only recognize the danger of a global ecological catastrophe and the overpopulation of the planet, but they should also commit themselves to *changing lifestyles*, the *ways of thinking*, improving the *quality of health and education for younger generations*, with *appropriate economic and political policies*, implementing everything in conformity with the goals of global bioethics.

However, Potter was unable to offer a satisfactory methodological basis to combine medical and environmental ethics, or to provide a connection between singular and universal, practical and theoretical approaches within global bioethics. This seems to provide an explanation for why in his last articles he saw bioethics as a kind of *utopia* (Potter, 2001).

Nevertheless, recently there have been increasing calls for a revival of bioethics as understood by V.R. Potter's (Beever & Morar, 2013; Ten Have, 2013; Beever & Whitehouse, 2017). For instance, Beever and Whitehouse believe that «the practical instantiations of bioethics mainly focusing on individual health are inconsistent both with the term's own historical international contexts and with the ecosystem-based nature of health, a concept of systems that includes both cultural and biological interactions» (Beever & Whitehouse, 2017: p. 227).

The authors argue that bioethics has too often served the goals of medicine rather than critically examined them within a complex and developing epistemic and ethical landscape (Beever & Whitehouse, 2017: p. 230). In their view, public health ethics can be an excellent bridge between medical/clinical and environmental forms of bioethics. It expands the moral scope beyond the individual in a clinical context to the community and focuses less on autonomy and more on justice and solidarity. Understanding health at the intersection of the individual and the community requires an ecosystem-based perspective, where health care is seen in the context of social care and other economic and environmental priorities. Other life forms besides humans are part of this public health picture (Beever & Whitehouse, 2017: p. 234).

More recently, a third voice has been introduced to the story of the relationship between American biomedical ethics (as «mainstream» bioethics) and Potter's global bioethics, compelling a re-telling of the birth of bioethics as trilocated across American and European traditions. This third voice is that of the German pastor Fritz Jahr (Beever & Whitehouse, 2017: p. 234). The European originator of the term «bioethics» Fritz Jahr (1895—1953), the German teacher and theologian used the term 'bioethics' in his article of 1927 and proposed a new «bioethical imperative» based on a revision of the Kantian categorical imperative and extended to animals and plants: «Respect every living being in principle as an end in itself and treat it as such, if possible!» (Jahr, 1927: p. 4).

With the discovery of Jahr's bioethics in 1997, European bioethicists were able to restore his lost genealogy and claim respect for bioethics values other than the American ones. Within the bioethics defined by the Jahrian «imperative», a place could have been found not only for the colorful philosophical, religious and cultural heritage of Europe, but also for the newly evaluated Potter's work (Muzur & Rinčić, 2011; Muzur, 2017).

Three dimensions of European global bioethics

There are different approaches to understanding the concept of «European bioethics». We associate American bioethics with either the global bioethics of Potter or the biomedical ethics of Beauchamp and Childress and the activities of the Hasting Center, whereas there are several points of view regarding European bioethics.

The research interests of a large group of European philosophers today are mainly focused on the ideas of universal transcendental pragmatics, based on the paradigm of practice and the methodological directives of classical German philosophy. In this context, the convergence of the natural and the merely human is seen as a rehabilitation of practical philosophy, a further study and development of the principles of practical reason that are understood as objective laws of nature.

Thus, the first model of European global bioethics is *theoretical and philosophical*. This model, which has always differed from British-American, one, sees *global bioethics as meta-ethics* based on the traditions of continental philosophy. According to this point of view, the concepts of ethics and bioethics in the European philosophical, historical and socio-cultural context are determined by outstanding representatives of continental philosophy and their teachings, starting with Kant.

As part of post-rational morality, new dominants, such as global, environmental and social, are emerging. Simultaneously, the search for universal moral standards acceptable to all is intensifying. The knowledge of the 21st century finds its justification neither in itself nor in the subject, but in a practical subject represented by the whole of humanity, and all it needs in practice is the good. In the new conditions of human life, the Kantian imperative can be reinterpreted as follows: «Act in such a way that the effects of your activities are compatible with the permanence of genuine human life on earth ... include in your present choice the future wholeness of man as an object of your will», and Kant's idea of «you can as you must» is reinterpreted as «you must as you do because you can» (Jonas, 2004: pp. 58, 223).

The new imperative is that we can risk our lives, but we do not have the right to risk the lives of others or the whole humanity. It aims to reconcile the consequences of an action with the continuation of human activity in the real future. Human behavior, subordinated to a new imperative of a «collective whole», is of pragmatic and universal significance on a real scale. Continuing Kant's idea, H. Jonas emphasizes that every living being has its own purpose, which does not need any further justification; and man has no advantages over other living beings, moreover, he is the only one who has the responsibility for them, for saving their end in itself (Jonas, 2004: p. 180).

Individual's moral duty to humankind is to preserve his true human nature. It also includes a duty to nature as a condition for the continuation of the coexistence of nature and society and as a component of the existential wholeness of human life. Human and nature have a common destiny, a fact which allows us to speak not only of the dignity of man but also of the dignity of nature, which obliges us to preserve the integrity of nature, even apart from utilitarian reasons.

German philosopher K.-M. Meyer-Abich offers his own version of holistic ethics based on practical philosophy of nature. His ethics is an ethics of responsibility not only for other human beings, plants and animals, but also for all things created by human beings. It includes eight levels of responsibility (in ascending order of moral demands): from responsibility for oneself (egocentrism) to the highest level of responsibility for the world as a whole (physiocentrism) (Meyer-Abich, 2004: p. 196).

Personal development should therefore be free, not autonomous. In order to be considered free, personal development must take place in the context of the individual's overall responsibility for the natural world. The *principle of justice* is based on the fact that, on the one hand, both human beings and other living beings have a common history and origin, and, on the other hand, they all have their own characteristics. Therefore, the attitude towards human beings and other living beings should be similar to a certain extent, but different. Meyer-Abich asserts that treating sunflowers or elephants as human beings would be contrary to their inherent dignity, even if it appeared beneficial (Meyer-Abich, 2004: p. 56). This concept of dignity is closely aligned with the notion of living beings as unique entities, possessing a distinct «being-here» quality.

From there, justice, responsibility and dignity are seen in the context of distributivity, which is explained by the fact that different species have different needs. Therefore, it is not only possible, but necessary, to treat different living beings with respect, but in different ways: «Dogs should be treated differently from cats; higher animals — differently from insects, trees — differently from ferns» (Meyer-Abich, 2004: p. 57).

In this regard, the research interests of a significant number of European philosophers are currently focused on the ideas of universal transcendental pragmatics, which are based on the paradigm of practice and the methodological directives of classical German philosophy. In this context, the convergence of natural and merely human is seen as a rehabilitation of practical philosophy, and further study and development of the practical reason principles which are understood as objective laws of nature.

The *second model of global bioethics* in the European context is the *legislative model, bioethics as biolaw*. This model is supported by J.D. Rendtorff, P. Kemp, E. Valdes, P. Mazurkiewicz, K. Schauer, Y.O. Trynova, M. Anishchenko, O. Kyrbiatiev, et al. (Rendtorff & Kemp, 2000; An overview report, 2009; Valdes, 2021; Trynova, Anishchenko, Kyrbiatiev, et al., 2023).

The most famous European bioethics' model as biolaw was proposed by J.D. Rendtorff and P. Kemp, who headed the international research project BIOMED II (1995—1998). The objective of this project was to examine the content of constitutions, legislative acts and regulatory documents in the field of bioethics of various European countries.

The project resulted in the publication of two volumes, entitled «Basic Ethical Principles in European Bioethics and Biolaw», as well as a number of working documents, including the Barcelona Declaration (November, 1998) (Basic Ethical Principles, 2000: vol. 1, 2). The research conducted as part of the project showed that European bioethics and biolaw are based on four ethical principles: *respect for the autonomy of individuals, respect for human dignity, the principle of integrity and the principle of vulnerability*. These principles serve not only as the foundation of European bioethics, but also as the foundation of the regulatory and legislative framework of European countries. They have been institutionalised in national constitutions (France, Norway) or individual legislative acts in the field of protecting human health and the environment (Austria, Belgium).

Indeed, the first bioethical initiatives in Europe were in the form of declarations in the field of international law. The beginning of bioethical discourse in Europe is often traced back to the Nuremberg Code (1946).

In 1949 the *Council of Europe* was founded with the objective of achieving harmonisation of national regulations and the universalisation of principles and values in the field of bioethics and biolaw (Quintana, 1993: p. 5). In 1949, it brought together 46 member states, with a population of approximately 675 million. It operates with an annual budget of approximately 500 million euros [<https://www.coe.int/en/web/portal>]. In 1985, it created *Steering Committee for Bioethics* (CDBI) with the objective of harmonising ethical restrictions in scientific research and medical technologies.

One of the most significant achievements of the Council of Europe is the development and adoption of the *European Convention for the Protection of Human Rights and Fundamental Freedoms* (1953). There is no single canonically recognised list of European values. However, they are considered to be enshrined in this convention.

Another important document was the *Convention on Human Rights and Biomedicine* (Oviedo Convention, 1997). This Convention is the only internationally legally binding instrument on the protection of human rights in the biomedical field.

In recent years, the Council of Europe has adopted a number of important documents in the field of healthcare, including: Recommendation on the quality and safety of organs for transplantation (2020), Recommendation on the quality and safety of tissues and cells for human application (2020), Recommendation on establishing harmonised measures for the protection of haematopoietic progenitor cell donors (2020), Recommendation on equitable access to medicinal products and medical equipment in a situation of shortage (2023), etc.

The documents emphasised European values and principles, such as *dignity and human rights, the preservation of physical and mental integrity, responsibility, non-discrimination, justice, equal access to healthcare, prevention, and the protection of vulnerable groups*. It also highlighted the importance of *protecting personal data*.

Although the EU does not possess the legislative competence to act in areas of policy where bioethical questions are of central importance (An overview report, 2009), the development of new technologies on the one hand, and the process of greater integration on the other, are creating a practical necessity for the EU to assume a certain role of responsibility and to take decisions within this domain. The content of

the recommendations also included the procedural decision-making principles of organisational ethics, namely *accountability, reasonableness and relevance, inclusiveness, consistency, transparency and communication of decisions, review*.

However, the paradox of European-style globalisation is that Europe seeks to preserve its own authenticity by remaining a refuge, a «life world» for the subject (human being). For example, the Council of Europe's declarations and recommendations on biomedicine do not address environmental and social consideration. These issues are addressed in other acts, such as the Convention on the Conservation of European Wildlife and Natural Habitats (1982) and the Recommendation on Protecting the Rights of Migrant, Refugees and Asylum-Seeking Women and Girls (2022).

An illustrative example is also the Universal Declaration on Bioethics and Human Rights (UNESCO, 2005). Despite the extensive and inclusive two-year discussion of the Declaration, which involved representatives from not only European countries (including Ukraine and other post-Soviet countries), but also Asia, Africa, Canada and America, the final document was primarily focused on the principles and objectives of biomedical ethics. Unfortunately, the ethical principles of protection and conservation of the natural world proposed by Ukraine, Belarus and other countries (not to mention their integration with the principles and values of biomedical ethics) did not receive due consideration in the final document.

The *third model of global bioethics as European reception is a specific applied biomedical ethics*. In 2014, the international publisher Springer published a collective monograph entitled «Handbook of Global Bioethics», edited by Ten Have and Gordijn. This became an outstanding event in the intellectual life of the international bioethicists' community in the early 21st century (Handbook of Global Bioethics, 2014). The monograph was a geographical and systematic review of the state of global bioethics, which resulted from several years' work conducted by leading bioethicists, 16 authors representing 40 European countries.

Our analysis has shown that despite the attempts of some authors of the monograph to regard global ethics and global bioethics as novel dimensions to the traditional ethics, a result of the rethinking and reconstruction of the challenges of the global world (Garcia, 2014: p. 19), the presented concept of global ethics did not extend beyond the traditional anthropocentric worldview, methodological principlism and values outlined by human's natural rights.

It is evident that the contributors attempted to address *the global social and environmental issues confronting humanity*, such as poverty, discrimination, environmental pollution, as well as the challenges of providing healthcare to immigrants, refugees and displaced persons. Additionally, they addressed the complex issues of corruption, transplant tourism, and organ trafficking on an international scale.

Nevertheless, Potter's concept of global bioethics as a union of medical and environmental ethics, as a special meta-ethics, was not reflected in this book. Of the 225 pages allocated to the medical and social dimensions of global bioethics, only 25 were dedicated to the ethics of protecting the environment, the biosphere and biodiversity (Hattingh, 2014). The compilers and editors point out that in this regard they view

global bioethics not as a meta-ethics, but rather as «a special kind of applied ethics, along with other kinds of global ethics (such as business ethics, environmental ethics, ICT ethics)» (Gordijn & Ten Have, 2014: p. 820).

A. Muzur and I. Rinčič, R. Macklin observe that the concept of «global bioethics» as currently presented in European textbooks, handbooks, encyclopedias and bioethics journals bears little resemblance to Potter's original doctrine. Instead, it is largely confined to the enumeration of various biomedical-ethical and bioethical traditions across the globe (Muzur & Rinčič, 2017: p. 248). In this vein, R. Macklin posits that upon examination of the table of contents of these journals and re-reading of some articles, one thing became apparent. Many articles focus on a bioethical issue in a single country or region (for example, sub-Saharan Africa). In contrast, only a minority of the articles address relations between and among countries (Macklin, 2022: p. 5).

Furthermore, *biomedical ethics approach* to the subject of global bioethics still dominates in the European and global world bioethical community. Biomedical ethics based on *principlism* is seen traditionally as a theoretical and methodological matrix of global bioethics. Nevertheless, a current bioethical trend, «fashion» with regard to bioethics being based on the values of liberal individualism, does not always reflect the deep historical, socio-cultural and philosophical contexts that exist in different regions and countries. Moreover, it does not disclose the heuristic and epistemological potential of global bioethics.

Despite the fact that the values of a particular culture may be considered to have intersubjective validity, they are inextricably linked with the totality of a particular life form from the very beginning, and thus cannot claim normative validity in the strict sense of the word. They should be considered only as candidates for normative legitimation and expression of general interest (J. Habermas). Even civilisations that seem to have a similar origin, such as American and European, often exhibit divergent views on how individual rights should be interpreted. In American society, it is inextricably linked with the concepts of «autonomy» and «choice», while in European society it is inextricably linked with the concept of personal dignity and integrity.

Thus, ethical particularism leads to the emergence of particular ethical systems based on the values professed by a specific social group, country or culture. These systems put their own meaning into one or another ethical principle or norm of biolaw. Consequently, on the basis of a particular approach, ethical principles cannot be satisfactorily systematised and transformed into a coherent and universal totality.

European bioethical principles

The history of the development of bioethics is the history of the actualization of certain ethical principles and rules, which are usually not generalised within the framework of a particular moral theory or tradition. American and European bioethics, the ethics of «responsible research» and the ethics of science, environmental and global bioethics today are built on ethical principles that are often related to each other solely *ad hoc* and *prima facie*.

A study of the constitutions, laws and other regulations of several European countries in the field of biomedicine showed that at their base there were major bioethical principles and values, including *respect for the autonomy of individuals*, *respect for human dignity*, *the principle of integrity* and *the principle of vulnerability* (Rendtorff, 2002). Currently, these principles, along with *the principles of solidarity*, *responsibility* and *precaution*, are considered to be the foundation of European bioethics.

European bioethicists consider that in modern conditions, bioethical principles must be applied not only to medicine but also to other areas of social practice. They argue that the value of autonomy should be extended beyond a biomedical context to a broader one of caring for other people, the ethics of *solidarity*, *responsibility* and *fairness*. This is to be done taking into account the development of the European economy and culture (Ten Have, 2019). It is imperative that these principles are not confined to the domain of human society alone, but rather extended to encompass the world of animals, plants, and nature.

D. Gracia traces the roots of bioethics back to the visions of the European Age of Reason, in particular the legal requirements for respecting individual autonomy and the call for informed consent as a result of democratisation and the formulation of civil rights. He asserts that these movements are a general phenomenon all through Western culture, extending beyond North America (Gracia, 2014). Gracia emphasizes that bioethics has been, at least to some extent, the natural consequence of the process of emancipation of human beings from certain kinds of tutelage or paternalism, which have traditionally been a feature of Western culture.

According to European researchers, at the heart of bioethics there must not be autonomy but freedom, which is inherently rational and cannot exist without justice. With regard to the broader context of autonomy as freedom, they proposed five definitions directly associated with the attributes of human nature: 1) the capacity for the creation of ideals and goals for life, 2) the capacity for moral insight, «self-legislation» and privacy, 3) the capacity for rational decisions and actions without coercion; 4) the capacity for political involvement and personal responsibility, 5) the capacity of informed consent to medical experiments (Basic Ethical Principles, 2000: vol. 1, 2, p. 25).

The principle of *respect for the dignity* is seen as a fundamental and universal one, implying respect for the moral sphere of a person who can have no active choice. One could say that it is the linchpin of the entire European bioethics. In countries such as Italy, Spain, Greece, Ireland, and Germany, this principle provides the foundation for their constitutions. In the European tradition, the Kantian concept of dignity is particularly prominent. This concept holds that the dignity of an individual is determined by the presence of a moral imperative, which is a transcendental component of the human person. The dignity of an individual is seen not only as a pragmatic respect for their ability to make a «rational choice»; it is also a respectful attitude towards other truly human existential conditions, such as vulnerability and insecurity, the ability to bear suffering, empathise and achieve higher spiritual states. It is a reflection of the inner sacred sphere of the individual, encompassing self-esteem, pride in one's life and compliance with moral principles and beliefs (Pustovit, 2009).

In contemporary Europe, the concept of human dignity in the moral and legal sense is closely linked to the symmetry of the relationship between human and the world. Dignity is not an intrinsic feature of the human species, rather, it must be earned. This concept becomes meaningful in the human attitude to the Other, in reciprocity with the Other. Moreover, the Others are not necessarily people but can be animals, and natural objects. The Other is the entity that is in opposition to the self, that is beyond the self's values, and my worldview.

This principle entails an attitude towards those who are about to be born (embryo, fetus) and become part of the human cultural universe, as well as towards those who are already dead, yet who have contributed to the development civilization. It outlines the borders and maps out the prospects of resolving moral issues related to reproductive cloning, genetic engineering, organ transplantation, organ harvesting from dead people, etc.

The concept of dignity in European bioethics and biolaw, unlike the Kantian one, is extended to the natural world and living beings. A natural community is regarded as a world that has an intrinsic value. Consequently, in the context of European bioethics nature acquires connotations that until recently were regarded solely as individual's characteristics: value, dignity, right and respect. Over the last 20 years, the ethical principle of integrity, which has several context-dependent meanings, has become increasingly prevalent in the European ethical discourse. In the context of bioethics and biolaw this principle can be used both in a narrow and in a broad sense. There are two distinct approaches to its comprehension. On the one hand, it is viewed as honesty, openness, an uncompromising attitude and the incorruptibility of a person. On the other hand, it is considered to be an indication of the historical unity of human culture consisting of unique human beings, the narrative unity of a person's history, culture and nature. The concept of integrity includes humanity's connection to the world of animals and plants, as well as the necessity of totality for all life forms to exist.

Depending on the context, integrity can also represent the principle of inviolability and non-interference in the privacy of an individual. Overall, there are five distinct notions of integrity: 1) self-esteem, openness, honesty, kindness, and the rejection of corruption, 2) intellectual, psycho-spiritual, bodily, and genetic wholeness of the individual; 3) the sphere of self-identity; 4) narrative totality and wholeness of being, refinement of the individual life in common human history and culture; 5) the inviolability of the person, the requirement of non-interference in the private sphere.

The principle of the vulnerability of all living things is closely connected to the above mentioned principles respect for the dignity and integrity. Vulnerability is a universal manifestation, not only of the human state, but of all living things. It is a characteristic of the state of humans, animals, nature and the teleological organisation of the world. Vulnerability reflects two basic philosophical and ideological ideas: the finiteness and fragility of the lives of humans and other living creatures; the need to care for vulnerable representatives of life on the planet.

In European ethical and legal documents, we can also find some ethical principles, which involve a direct attitude of human towards nature. These principles include the *cure principle*, the *prevention principle*, the *precautionary principle*, and the *polluter pays principle*.

ple (Rendtorff & Kemp, 2000: p. 1). This fact is indicative of the transition of the European community from the model of control over the results of human's industrial activity to the model of prevention of negative impacts, to the idea of nature as a subject of concern, to the holistic ethics of «the common», «connatural world» of human and nature.

The principle of pluralism is becoming one of the mechanisms and methods for harmonising and integrating national legislations within the framework of the common European ethos. It serves as a tool for clarifying, interpreting and unifying the various European bioethical principles proposed by the EU Member States.

The large number of nations and peoples in Europe as well as the significant influx of immigrants from different countries including Ukraine, have led to an increased emphasis on the principles of *tolerance* and *non-discrimination* among philosophers and politicians. They postulate the same respectful and fair attitude towards the cultural characteristics and traditions of different ethnic groups, nationalities and nations in various spheres of society, including the field of healthcare and ecology.

The history of bioethics and biolaw development in Europe shows that the relationship between principles, rights, and specific situations should be understood as a hermeneutic circle, whereby the movement from specific situations to ethical principles and legal norms is formed. At the first level, the function of principles is to protect individuals from the negative effects of technology (proximity ethics); the second level is to ensure a proper «good life» together with other people based on the principle of justice (communitarianism); the third level is to give the «good life» a universal dimension, respect and care for every human being (Ricoeur, 2002).

It is notable, however, that European bioethics was greatly influenced by the pragmatic version of the North American *principlism approach*. This phenomenon has been called philosophical or ethical imperialism by numerous authors.

Features of the European ethos

According to P. Ricoeur, the features of the European ethos are shaped, above all, by a continuous process of integrating identity and difference, a phenomenon specific to European nations (Ricoeur, 2004: pp. 188—198). The basic models of this integration are as follows: *translation from one language to another, exchange of memories, and forgiveness*. These models are applicable to the modern European situation, with its linguistic and mental pluralism, and its unity of memory and history. Translation enables the transfer of meaning not only from one language to another, but also across cultural boundaries, where ethical and spiritual categories may be interpreted differently. The dual nature of «foreign language» translation as an intersection of external and internal «translator's» language can lead to a «new» meaning, although it does not exclude the danger of reductionism. The narrative identity of the European ethos is achieved through the mixing of linguistic spaces, the frequent people's migrations from one European country to another, the sharing of memories and stories of life on the level of understanding, compassion, and forgiveness. P. Ricoeur posits that the main feature of Europe is an incredible amount of suffering inflicted upon one another by large and

small states, directly or through alliances of power. He asserts that the history of Europe is cruel, citing instances of religious and invasive wars, wars of extermination, the subjugation of ethnic minorities, and the expulsion or enslavement of religious minorities (Ricoeur, 2004: p. 194). The institutionalisation of bioethics largely involves the history of European wars, the exchange of memories and the procedures of forgiveness.

It should be noted that there are significant dissimilarities between modern European and Anglo-Saxon understandings of moral philosophy. These dissimilarities largely determine the difference between American and European bioethics in the approaches to the solving of ethical issues related to the environment and medicine. In our opinion, the most important differences seem to lie in the features and ways of philosophical underpinning of solutions to moral issues. European philosophical thought, which is rooted in ancient Greek culture (VII—VI centuries BC), is *theoria*-oriented. The ongoing improvement of *theoria* is consciously viewed as a valuable pursuit, an open-ended and universal goal, which ultimately differentiates continental and Anglo-Saxon philosophies. The idea of the empirical world (in many important respects) as not only a perception but also an interpretation is a central tenet of continental philosophy, originating with I. Kant and subsequently espoused by F. Schelling, G. Hegel, F. Nietzsche, A. Schopenhauer, M. Heidegger and M. Foucault. The empirical world does not «expect» to be opened up; it is embedded in the subjective and intersubjective contexts and prerequisites determining the things that can be seen in it.

European philosophy and ethics have always been characterised by a quest for historicity, a quality that American philosophers have lacked. A. McIntyre accused American moral philosophy of conservatism and a lack of ideas of development and historicism ideas (McIntyre, 2000: p. 10). In the European philosophical thought the ideas of historicity and responsibility are connected. A person bears not only responsibility for their actions, but also historical responsibility for the entirety of their creations, including their spiritual development.

Adherents of European unity frequently cite «common» European values, arguing that they do not conflict with the mental characteristics and individual mindsets of Europeans. Moreover, Europeans have gone through a period when public discourse about the priority of the national consciousness over the «cosmopolitan» European was considered to be unseemly and reactionary nationalism.

Consequently, European bioethics and biolaw are based on the most profound philosophical and methodological traditions of continental philosophy, wherein the study of moral philosophy, meta-ethics, has always held a pivotal position. The justification and meta-institutionalisation of moral norms and values are once again relevant in the contemporary globalised and technologized society. In practice, the implementation of such «universal all-European values» as *freedom* and *dignity* is often suspended by national, local, regional and individual-family purposes, preferences and traditions. In this context, despite the unity of the historical, socio-cultural and spiritual preconditions for the development of European countries, the legislative solutions in the field of bioethics (e.g., with regard to euthanasia, cloning, the use of embryos and stem cells for research) may differ across Europe.

B. Jordan in his book «Around the World through 80 laboratories» showed that the attitude of the state and public structures to science and research varies considerably between European countries, which presents a challenge to the introduction of unified ethical standards for scientific activity (Jordan, 1993). For example, medical research in France is in a favorable social atmosphere, whereas in Germany it is the center of constant public scrutiny, given the bitter experience of the era of National Socialism formed an extremely cautious Germans' attitude to the latest biomedical technologies. The degree of this «vigilance» differs across Germany (West and East), as evidenced by a heated debate between liberals and conservatives about the legalization of abortion immediately after the unification of East and West Germany. That debate in the early 90s resulted in the acceptable solution for both parties: abortion was excluded from criminal offences, however, it was not legalised either. Another illustrative example is a lengthy discussion on international documents on bioethics by the representatives of the Council of Europe. The discussion culminated in the adoption of the Convention for the Protection of the Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine. The Convention on Human Right and Biomedicine took a total of six years, starting from the Resolution No 3 on bioethics in 1990 to the approval of the Convention final version in 1996.

At the beginning of the 1990s at one of the meetings of the Council of European Steering Committee on Bioethics attended by experts from 34 countries, there was discussed the need for a reconsideration of an overall picture of ethical reviews of research in Europe. The Secretary General of the Council of Europe C. Lalumiere offered to establish special structures for this purpose, namely European ethics committees. However, that idea did not receive an approval of the European countries. Only later the decision was taken to unite by holding regular European conferences of national ethics committees under the auspices of the Council of Europe (Pustovit, 2009: p. 280).

The Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia joined the European Union in 2004. Romania and Bulgaria joined in 2007, and Croatia in 2013. In this regard, many of bioethics note that this was the beginning of a new European community, «new Europe», which was more pluralistic than it was before (Dekker, 2004). Many associated countries of Eastern and Central Europe, former socialist countries, have their own specific problems of health and medicine and special philosophical traditions, which, in turn, creates a new configuration and accents for global bioethical discussions.

In order to foster respect for persons as ends-in-themselves in Europe and legal culture the application of the bioethical principles must also reflect the cultural differences and local variation existing in Europe. Such cultural «regionalism» is based on the idea of subsidiarity, which stipulates that the European state should apply the principles in accordance with the specific cultural convictions and traditions (Rendtorff, 2002: p. 115).

Apparently, it is difficult to fully harmonise and unify the social and cultural traditions of European countries. Nevertheless, it is possible to outline some general axiological frameworks for interpreting bioethical principles. This does not imply that

there are no particularistic ethos, including ethnic, national, or professional ones. Rather, it suggests that universalistic ethics means based on some of the common European values must be a guarantor of its humanity and validity.

Conclusion

The European socio-cultural space can be a good example of the reception and prospects for the development of global bioethics ideas by the world's humanity. Europeanness is profoundly different from other cultural identities. On the one hand, it is characterized by a striving for universal rational ideas and forms. On the other hand, it is a continuous process of reconciliation, a combination of the indelible cultural diversity of various European countries (Proleiev, 2017: p. 11). In fact, the EU has formed a fundamentally new form of state, namely a network state with a single economy (Castells, 2000). Global bioethics can also contribute to overcoming the internal crisis of Europe as a set of values, imperatives and principles that define the phenomenon of 'Europeanness'.

In the European context, the subject of global bioethics is defined more broadly than in the American version of biomedical ethics. This interpretation goes back to Potter's global bioethics, which considers not only the moral issues of medicine and public health, but also global environmental and social problems. In this context, the convergence of the natural and the human is regarded as a rehabilitation of practical philosophy, further study and development of practical reason principles which are understood by analogy with the objective laws of nature.

The distinctive characteristics of the European reception of global bioethics are related to the peculiarities of European culture and history, which is represented by two interrelated features: the desire for universal meaning shared by all human beings and the constant self-determination and self-improvement (Proleiev, 2017: p. 10–11). The concept Europeanness implies an ongoing process of transformation and constant development. Therefore, theoretically global bioethics is not limited to the biomedical sphere but encompasses the entire spectrum of life, including the moral nature of human, and social relations and institutions.

European institutions are the guarantors of the European identity, and thus today's European practical philosophy has a pronounced pragmatic aspect. This involves the application of ethical norms and values in specific social contexts, including public administration, politics, economics and ecology. There appears a socially oriented model of global bioethics that aims at social well-being as the harmony of society and nature. At the same time, ideas about the nature and natural also include a vision of the state and its institutions. The criticism of liberal notions of autonomy and property, the primacy of human interests over those of nature, led European philosophers to conclude that the state should be both social and natural at the same time (H. Jonas, K.-M. Meyer-Abich).

The study of constitutions, legislative and legal regulations of European countries, as well as ethical and legal documents, adopted by the European Council, has revealed a variety of bioethical principles in the field of biomedicine. However, at the level of legislation in biomedicine there is a strong influence of pragmatic biomedical ethics

and a weak link between medical and environmental issues. In fact, normative acts concerning healthcare, patients' rights, clinical trials, do not presuppose and do not include environmental dimensions.

All in all, in the European context, global bioethics is represented by a diverse range of ethical principles and values. It has an open and unfinished nature and deep foundations in practical, communicative and social philosophy, as well as in the European philosophical traditions of existentialism and phenomenology. European bioethical principles reflect the cultural diversity of local variations in the European social and cultural space.

A defining feature of global bioethics as a phenomenon of European culture is that its principles can only be «activated» as semantic and logical integrity in a systemic and contextual way, and therefore none of them can be absolute. Bioethical principles serve as a sort of harmonising factor for European biopolitics.

Thus, we can see that at the end of the 20th century, European scientists brought to the attention the question of the «philosophisation» of bioethics, the universalization of its principles, the extension of its subject from the range of problems related to the biomedical field to modern global challenges, and the raising of bioethics to the level of global bioethics and meta-ethics.

The hybrid war unleashed by Russia against Ukraine in 2014, which, starting in February 2022, acquired new threatening proportions, has had a detrimental impact on the existential vitality of not only the Ukrainian nation, but also the entire European civilisation. In the context of the unpredictability of the results of large-scale aggression, the increasing risk of nuclear war and the destruction of all life on the planet, Potter's idea of global bioethics as «a system of morality based on biological knowledge and human values, with the human species accepting responsibility for the survival and for preservation of the natural environment» (Potter, 1988: p. 154) seems more relevant than ever.

The future of global bioethics in the 21st century will be determined by the capacity of European humanity to exercise moral courage and take action to stop the war, protect the freedom and sovereignty of Ukraine, and safeguard the survival of humanity on planet Earth (Europe, 2017: p. 20).

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ГЛОБАЛЬНА БІОЕТИКА В ЄВРОПЕЙСЬКОМУ КОНТЕКСТІ

У статті проведено аналіз засад та принципів глобальної біоетики в європейському етико-правовому та філософському контекстах. Аналіз європейської біоетики показує, що існує принаймні три сучасні моделі європейської біоетики: біоетика як метаєтика; біоетика як біоправо; біоетика як прикладна біомедична етика. Європейська біоетика бере свій початок в глобальній біоетиці В.Р. Потера та Ф. Яра й охоплює не лише моральні питання медицини та громадського здоров'я, а й глобальні екологічні та соціальні проблеми. У цьому контексті конвергенцію природного і людського розглядають як реабілітацію практичної філософії, подальше вивчення і розвиток принципів практичного розуму, який розуміють за аналогією з об'єктивними законами природи. Вивчення конституцій, законодавчих і правових норм європейських країн виявило різноманітність біоетичних принципів у галузі біомедицини. Однак, на рівні законодавства у біомедицині спостерігається певний вплив американської моделі біоетики, біомедичної етики, що знаходить свій прояв у методології принципізму та слабкому зв'язку між медичними та екологічними питаннями. Глобальна біоетика в європейському контексті характеризується посиленням біоетичної рефлексії, соціальних зв'язків і законодавчої діяльності в галузі біомедицини в межах пан'європейських структур, зокрема Європейської Ради та Європейського Союзу. Визначальною рисою глобальної біоетики як феномену європейської культури та європейського етосу є те, що її принципи можуть бути «активовані» лише як семантична та логічна цілісність. Біоетичні принципи слугують своєрідним гармонізувальним чинником європейської біополітики.

Ключові слова: *глобальна біоетика, біоетичні принципи, біомедична етика, повага до гідності особистості, європейська біоетика, європейський етос.*