



Society for the Advancement of Philosophy  
University of Zagreb – Center for Croatian Studies

INTERNATIONAL PHILOSOPHICAL CONFERENCE

# Zagreb Applied Ethics Conference 2011

PROGRAM & BOOK OF ABSTRACTS

June 16–18, 2011

Borongaj Campus • Center for Croatian Studies  
Lecture hall “Zagreb”

Borongajska cesta 83d • Zagreb • Croatia

<http://www.upf.hr>

<http://www.hrstud.hr>



## Contents

- 5** Welcome Address
- 7** Conference Program
- 13** Plenary Lectures
- 17** Contributed Papers
- 29** Biographical Notes
- 37** Our Previous Conferences
- 38** Prolegomena – Journal of Philosophy
- 39** Organizing Committee



## Welcome Address

It is our great pleasure to wish you a warm welcome to the *Zagreb Applied Ethics Conference*, the latest in the series of philosophical conferences organized jointly by the Society for the Advancement of Philosophy and the Center for Croatian Studies of the University of Zagreb.

Applied ethics is a booming field of contemporary philosophy which deals with and attempts to provide answers to practical moral problems – ranging from classical issues like euthanasia or abortion to more recent ones like the threat of terrorism or the justifiability of torture. At the same time, terms like “applied ethics”, “practical ethics” and, especially, “bioethics” are often used as expedient labels for a range of endeavors (most of them solemnly pronouncing their “interdisciplinarity” or even “transdisciplinarity”) whose conceptual clarity, soundness of argumentation and, consequently, real-world applicability are, to say the least, very far from obvious.

Bearing in mind this latter, often troublesome state of affairs with “applied ethics” (particularly endemic in ex-communist countries in which the very discipline of ethics remained underdeveloped for decades), one of the central motives for organizing the *Zagreb Applied Ethics Conference* was a desire to promote rational and critical approach to and public understanding of contemporary work in applied ethics. Judging by the abstracts of papers which we are about to hear during the three days of the conference (submitted for the most part by scholars from Central and Southeastern Europe) we dare to say that the fulfillment of that desire is more than likely. Three plenary lectures and sixteen contributed papers will be presented in the conference by scholars from Australia, Czech Republic, Greece, Hong Kong, Italy, Poland, Romania, Serbia, Slovak Republic, Sweden, United States and Croatia. In view of this international line-up of participants, we also hope that the conference will foster new scholarly contacts and collaboration.

On behalf of the both organizing institutions of the conference we wish you good luck with your presentations followed by lively discussions and a pleasant stay in the capital city of Croatia.

Members of the Organizing Committee



# Conference Program



**Thursday, 16 June 2011**

---

Venue: Borongaj Campus • Center for Croatian Studies • Lecture hall “Zagreb”

---

**10:00–10:30 Opening of the conference**

ALEKSA BJELIŠ, *Rector of the University of Zagreb*

ZVONIMIR ČULJAK, *Head of the Center for Croatian Studies*

**10:30–11:30 Plenary lecture**

ZBIGNIEW SZAWARSKI, *University of Warsaw, Poland*

The social roots of applied ethics

**11:30–12:00 Coffee break**

**12:00–13:30 Session I**

SNJEŽANA PRIJIĆ-SAMARŽIJA, *University of Rijeka, Croatia*

Contraception: natural, artificial, (im)moral

DARKO POLŠEK, *University of Zagreb, Croatia*

“Procreative liberty”: what kind of liberty and right is it?

DANIELA CUTAS, *Karolinska Institute – Centre for Health Care Ethics, Stockholm / University of Gothenburg, Sweden*

Can/should fathers be parents too? On shared post-separation parenting

**13:30–15:00 Lunch break**

**15:00–16:30 Session II**

JOVAN BABIĆ, *University of Belgrade, Serbia*

Applying ethics – some preliminary remarks

TOMISLAV BRACANOVIĆ, *University of Zagreb, Croatia*

Darwinian considerations and applied ethics

CECILIA NARDINI / CHRISTOPHER WAREHAM, *European School of Molecular Medicine / University of Milan, Italy*

Applying the precautionary principle to synthetic biology: Deliberation, probability and the precautionary paradox

**16:30–17:00 Coffee break**

**17:00–18:00 Session III**

ELVIO BACCARINI, *University of Rijeka, Croatia*

Cultural diversity, medical ethics, democracy

TOMISLAV JANOVIĆ, *University of Zagreb, Croatia*

“Joint criminal enterprise” and collective responsibility: Some philosophical implications of international justice

**Friday, 17 June 2011**

---

Venue: Borongaj Campus • Center for Croatian Studies • Lecture hall “Zagreb”

---

**10:00–11:30 Session IV**

F. J. M. F. DOR, E. K. MASSEY, M. FRUNZA, R. JOHNSON, A. LENNERLING,  
C. LOVEN, N. MAMODE, A. PASCALEV, S. STERCKX, K. VAN ASSCHE, W. C.  
ZUIDEMA, W. WEIMAR

Presenting author: MIHAELA FRUNZA, *Babes-Bolyai University in Cluj-Napoca, Romania*

New classification of ELPAT for living organ donation

PETER SÝKORA, *University of St. Cyril and Methodius in Trnava, Slovak Republic*  
Importance of an active role of research community in biopolicy formation  
process: The case study of hESC policy in Czech Republic and Slovakia

SANDU FRUNZA, *Babes-Bolyai University in Cluj-Napoca, Romania*

The need for a model of social responsibility in the public health system of  
Romania

**11:30–12:00 Coffee break**

**12:00–13:30 Session V**

ADRIAN KUŹNIAR, *University of Warsaw, Poland*

Metaethical internalism and moral realism

RADIM BĚLOHRAD, *Masaryk University in Brno, Czech Republic*

The role of the New Science of Morality in resolving ethical issues

LINA PAPADAKI, *University of Crete, Greece*

Bodies, persons and respect for humanity: A Kantian look at the permissibility  
of organ commerce and donation

**13:30–15:00 Lunch break**

**15:00–16:00 Session VI**

NEVEN PETROVIĆ, *University of Rijeka, Croatia*

Killing the innocent: The case of September 11

ALEKSANDAR PAVKOVIĆ, *Macquarie University, Sydney – Australia / University  
of Macau, China*

The right to secede: do we really need it?

**16:00–16:30 Coffee break**

**16:30–17:30 Plenary lecture**

NEVEN SESARDIĆ, *Lingnan University, Hong Kong*

Philosophers in politics: when reason goes on holiday

**Saturday, 18 June 2011**

---

Venue: University of Zagreb • Rectorate • Aula Magna

---

**11:00–12:30 Plenary lecture**

PETER SINGER, *Princeton University, USA*  
Global poverty: What are our obligations?

**12:30–13:00 Closing of the conference**

**15:00–16:30 Guided sightseeing of Zagreb for participants of the conference**

**20:00 Conference dinner**



## Plenary Lectures



## **Global poverty: What are our obligations?**

**PETER SINGER**

Princeton University – University Center for Human Values  
5 Ivy Lane, Princeton, NJ 08544–1013, USA  
psinger@princeton.edu

We live in a world in which more than a billion people live in extreme poverty, while about a billion live in affluence, able to spend money on things that they do not need. In this situation, do the affluent have any obligations to the poor? I shall argue that we do, and that these obligations are much more demanding than we commonly think. I shall discuss a variety of objections to this view, and end by considering the implications of a view that holds that most affluent people are failing to meet their ethical obligations.

## **Philosophers in politics: When reason goes on holiday**

**NEVEN SESARDIĆ**

Lingnan University – Department of Philosophy  
Tuen Mun, NT Hong Kong  
sesardic@ln.edu.hk

Even among the most prominent analytic philosophers there has often been a puzzling contrast between their usual rigor, sophistication and very careful argumentation, as displayed in their philosophical writings, and surprisingly sloppy thinking and poor judgment, as occasionally manifested in their statements about political issues. It is notable that such ill-considered excursions into politics are typically characterized by a strong leftist bias. This curious phenomenon will be illustrated with episodes that involve a number of big names in analytic philosophy, from the era of logical positivism up until contemporary times.

## **The social roots of applied ethics**

**ZBIGNIEW SZAWARSKI**

University of Warsaw – Institute of Philosophy  
Krakowskie Przedmieście St. 3, 00–927 Warsaw, Poland  
z.szawarski@uw.edu.pl

In his paper on “The social roots of egalitarianism” (1979) Ernest Gellner claims that the modern industrial society seems unique in possessing a strong drive towards equality. This trend towards equality is associated with the coming of industrialism, the development of science and research, the relevant changes in social organization, which may have their probable causes in many social factors like occupational mobility which technical innovation imposes, the need for cultural homogeneity and universal literacy, the need for rapid and easy communication, and the need to make full use of human talents to mention only a few of those factors. In the realm of moral philosophy this tendency towards the egalitarianism has brought about a new way of approaching the moral epistemology and the way we are thinking about moral and political values and organize our moral and political life. This is the idea of moral and political pluralism. The moral pluralism has emerged as a reaction of free, rational and independent thinking to the traditional moral monism. In moral monism there is one only overriding value, one moral hierarchy, or one ultimate moral authority which decides what is right and what is wrong. In some hard cases it is usually the group of moral experts or the ultimate moral authority (the Pope, the Great Leader, or the Prophet) which makes the final and morally binding decision. The decision has a status of the moral truth or the moral dogma and should not be challenged within the official orthodoxy. There is hardly any place for a moral conflict. The basic form of moral education is indoctrination. In moral pluralism it is assumed that there are many moral values which come into conflict. There is no moral truth, no moral experts. The moral conflicts are unavoidable and in some hard cases the final decision may be the result of discussion, debate, and compromise and can always be challenged. The key concepts of moral pluralism are moral uncertainty, regret, rational argument, and moral compromise. The basic form of moral education is critical thinking. No human society is perfectly homogenous in moral beliefs and free from moral and political conflicts and disagreements. Our societies are usually a strange mixture of arrogant monistic moral certainty and of pluralistic moral skepticism and relativism. We have not yet learned how to talk about moral issues in the society in very rapid transition, which on one hand is deeply emerged in the old moral tradition and on the other has to face the challenges of remarkable development of modern science and technology, particularly in biomedicine and biotechnology. The main task for the applied ethics, whatever is its theoretical inspiration, is thus to teach people that we are all free and equal in our right to think and decide rationally about moral issues.

## Contributed Papers



## **Applying ethics – some preliminary remarks**

**JOVAN BABIĆ**

University of Belgrade – Faculty of Philosophy  
Čika Ljubina 18–20, 11000 Belgrade, Serbia  
jbabic@sezampro.rs

In applying ethics we encounter various problems, which is natural as we here have to deal with new acts and practices for which we have not elaborated and established lines of justification. Three such problems seem especially important to me. Although different in kind they, or their proper examination, are of the utmost importance for the quality of justification we employ in various fields of applied ethics. They are as follows: first, “Universality”, a principle that says that we have to justify every prohibition, while we aren’t required to do the same for permissions. The implication of this is a peculiar *asymmetry* between allowing and forbidding, demanding that *prima facie* there is no need to justify permission in the sense in which it is always the case with prohibitions. Second, very often we face lack of relevant notions and vagueness and absence of needed conceptual distinctions, hiding differences and/or similarities in places where it is morally necessary to have more clarity and precision. Third, “Primacy of Factuality” is a principle referring to the fact that any set of justifying reasons, however good and efficient it might have been in the past, at some point will be shown to be insufficient and inadequate.

## **Cultural diversity, medical ethics, democracy**

**ELVIO BACCARINI**

University of Rijeka – Department of Philosophy  
Slavka Krautzeka bb, 51000 Rijeka, Croatia  
ebaccarini@ffri.hr

Do parents have the right to oppose on religious and cultural base life saving treatment of their children? Do they have the right to practice genital mutilation of their children, in accordance with the tradition of their community? What about issues of personal and public health, like those associated with sexual education relevant as a form of prevention of early pregnancies, as well as in connection to issues of public health, for example the prevention of AIDS? Among the reactions in front of these divisive issues, one of the extremes is represented, for example, by Brian Barry who sees the possibility to establish a common standard for the resolution of the issues on the base of universal human rights. The other extreme is represented, for example, by Chandran Kukathas. In his opinion there are not and cannot be common standards of evaluation of moral issues and issues of justice. This is the reason why there is no legitimacy in intervening in the relations established in free associations of people

on the base of their conscience. In the space in-between extremes as those shown in the two examples, there are various forms of identity theories, as well as theories that want to establish common standards of rights and moral values through a democratic deliberative process. There are theoreticians of democracy who say that we cannot establish in advance standards of justice and human rights. They are the matter of democratic decision making. However, in conditions of deep moral differences even democracy itself is a disputed subject matter. The question that appears is why does one have to renounce to demands of her conscience in order to respect the authority of democratic decisions? Robert Talisse says that we must accept the authority of democratic decisions even when we are deeply dissatisfied by their content because we implicitly accept epistemological norms that can be satisfied only in democratic orders. All of the three indicated proposals face serious problems. As regards Barry, it is difficult to find consensus (and, therefore, liberal legitimacy) for a system of norms that regulates deep moral conflicts. As regards Kukathas, a problem appears with human beings that are the subjects of other people's decisions because they are not able to exercise free conscience (children are the paradigmatic case). Who has the authority to make decisions regarding them? As regards Talisse, the problem is represented by the absence of consensus on epistemological norms that his theory requires. In general, the same people that refuse the moral values as the ground of democracy tend to refuse the epistemological norms that Talisse remarks. The appropriate solution is represented by attributing authority to democratic decisions, provided they are made not on mere procedural grounds, but after a serious exchange of reasons among citizens with the status of peers. But the foundation of the legitimacy of such deliberative democracy is represented by the civic virtue of equality among citizens, understood as the minimum condition for life in a common political society.

## **The role of the New Science of Morality in resolving ethical issues**

**RADIM BĚLOHRAD**

Masaryk University in Brno  
Arna Nováka 1, 602 00 Brno, Czech Republic  
belohrad@phil.muni.cz

The paper deals with the prospects of what is called the New Science of Morality in answering the questions that have traditionally occupied moral philosophy. The author in particular questions Sam Harris' bold claim that science can give us answers about the right and wrong and settle ethical disputes. With all due respect to the use of empirical investigation in ethics, the author believes that certain issues in applied ethics (such as issues in population or environmental ethics) resist purely empirical approach. Thus, the claim that science can answer ethical questions is vindicated only insofar as "science" is construed very broadly – as an opposition to dogmatism and irrationality.

## **Evolutionary considerations and applied ethics**

**TOMISLAV BRACANOVIĆ**

University of Zagreb  
Center for Croatian Studies – Department of Philosophy  
Borongaj Campus, Borongajska cesta 83d, 10000 Zagreb, Croatia  
tomislav.bracanovic@hrstud.hr

The paper examines the prevailing view in contemporary moral philosophy, according to which evolutionary considerations lack any normative or prescriptive content. The first, stage-setting part of the paper presents Philip Kitcher's (1985, 2006) influential and highly restrictive classification of possible ways of "biologicizing" ethics. The second part criticizes Hugh LaFollette's (1980, 2010) proposal that the state should license parents according to their parental abilities, knowledge and dispositions. In order to demonstrate how certain moral views tend to change when placed in evolutionary context, LaFollette's proposal is examined against several insights of evolutionary psychology regarding sex differences in providing parental care. In the third part of the paper, returning to Kitcher's views on biologicizing ethics, it is argued that evolutionary considerations do play a role in ethics and applied ethics that goes beyond merely providing relevant empirical facts.

## **Can/should fathers be parents too? On shared post-separation parenting**

**DANIELA CUTAS**

Karolinska Institute – Centre for Health Care Ethics  
SE-171 77 Stockholm, Sweden  
University of Gothenburg – Department of Philosophy, Linguistics and Theory of Science  
Olof Wijksgatan 6, 405 30 Sweden  
daniela.cutas@ki.se daniela.cutas@filosofi.gu.se

The presentation will address the ethics and policy of parenting. Some of the questions that I will explore are: Who is a parent? How do people acquire responsibilities for children? How do the relationships between adults influence, or should influence, these responsibilities? What are (or might be) the implications of mothers and fathers equally sharing responsibilities for children? Who, if anyone, should be awarded precedence in cases of competition for parenting? In pondering these questions, I will comparatively look at the Swedish and the Romanian cases of the culture and policy of parenting. The two European countries are examples of quite different post-separation and post-divorce parenting. In Sweden, it is highly

expected that, following separation of the parents, they will both continue to function as parents with equal rights and responsibilities. In Romania this is rare, and children are placed with one parent (usually the mother), with the other parent being awarded (at best) visitation rights, and (usually) financial responsibilities. Recent changes in legislation, and tendencies in European legislation, shift towards shared parenting – and this collides with long established beliefs and expectations, and will have a strong impact on children as well as their parents and society at large.

## **New classification of ELPAT for living organ donation**

**FRANK J. M. F. DOR<sup>1, 12</sup>, EMMA K. MASSEY<sup>2</sup>,  
MIHAELA FRUNZĂ<sup>3, 4</sup>, RACHEL JOHNSON<sup>5</sup>, ANNETTE  
LENNERLING<sup>6</sup>, CHARLOTTE LOVEN<sup>6</sup>, NIZAM MAMODE<sup>7</sup>,  
ASSYA PASCALEV<sup>8, 9</sup>, SIGRID STERCKX<sup>10, 11</sup>, KRISTOF VAN  
ASSCHE<sup>10</sup>, WILLIJ C. ZUIDEMA<sup>2</sup>, WILLEM WEIMAR<sup>2</sup>**

*Presenting Author*

**MIHAELA FRUNZĂ**

Babes-Bolyai University – Department of Systematic Philosophy  
No. 1, M. Kogalniceanu Street, floor 1, room 130, 400084 Cluj, Romania  
mihafrunza@yahoo.com

In the literature of transplantation ethics, varying terminology for living organ donation can be found. However, there seems to be a need for a new classification to avoid confusion, as many terms used are religiously or ethically loaded. Therefore, we assessed existing terminology in the light of current living organ donation practices and suggest a more straightforward classification. We propose to concentrate on the degree of specificity with which donors identify intended recipients and to subsequently verify whether the donation to these recipients occurs directly or indirectly. According to this approach, one could distinguish between “specified” and “unspecified” donation. Within specified donation, a distinction can be made between “direct” and “indirect” donation.

<sup>1</sup> Division of Transplant Surgery, Department of Surgery, Erasmus MC, Rotterdam, The Netherlands. <sup>2</sup> Department of Internal Medicine, Kidney Transplant Unit, Erasmus MC, Rotterdam, The Netherlands. <sup>3</sup> Department of Systematic Philosophy, Babes-Bolyai University, Cluj, Romania. <sup>4</sup> The Academic Society for the Research of Religions and Ideologies (SACRI), Cluj, Romania. <sup>5</sup> National Health Service (NHS) Blood and Transplant, Bristol, United Kingdom. <sup>6</sup> The Transplant Institute Sahlgrenska, University Hospital Göteborg, Sweden. <sup>7</sup> Department of Transplantation, Guy’s Hospital, Renal Unit Office, London, United Kingdom. <sup>8</sup> Bulgarian Center for Bioethics, Sofia, Bulgaria. <sup>9</sup> Department of Community and Family Medicine, Howard University College of Medicine, Washington, DC. <sup>10</sup> Research group on Law, Science, Technology and Society (LSTS), Free University of Brussels (VUB), Brussels, Belgium. <sup>11</sup> Department of Philosophy and Moral Sciences, Bioethics Institute Ghent, Ghent University, Ghent, Belgium.

## **The need for a model of social responsibility in the public health system of Romania**

**SANDU FRUNZĂ**

Babes-Bolyai University – Department of Political Sciences  
Faculty of Political, Administrative and Communication Sciences  
No. 71 Traian Mosoiu Street, room 401, Cluj, Romania  
sfrunza@yahoo.com

The present text intends to draw attention to the need for an efficient ethical model that should regulate the activity and resource allocation in the healthcare system, and particularly in granting access to healthcare to families with high poverty rates, as well as in caring for children. Thus, the paper focuses on an ethical perspective using the idea of the social responsibility of organizations and especially of the state as an organization that takes responsibility in the social field. From an ethical point of view, the social responsibility principle eliminates the divergences between ethical responsibility and financial responsibility that may appear in establishing public health policies and in the construction of an ethical model for service providing and resource allocation. The intention of the paper is not to propose a model but rather to emphasize the need for creating an ethical model in the Romanian public health system starting from the *National strategy* and the *Report of the presidential committee for analyzing and elaborating public health policies in Romania*.

## **“Joint criminal enterprise” and collective responsibility: Some philosophical implications of international justice**

**TOMISLAV JANOVIĆ**

University of Zagreb  
Center for Croatian Studies – Department of Philosophy & Department for Communication Science  
Borongaj Campus, Borongajska cesta 83d, 10000 Zagreb, Croatia  
tjanovic@inet.hr

One of the more controversial issues of both theoretical and applied ethics, also involving other fields of contemporary philosophy, is the problem of collective responsibility. Is there something like collective agency? Can individuals be causally and morally responsible *qua* members of particular groups or collective enterprises, and if so, under what conditions? In the first part of the paper, I examine some ontological and epistemological aspects of this problem by taking a closer look at the notion of *joint criminal enterprise* (JCE). Although highly controversial and heatedly debated among law experts, this conceptual and juridical tool has been widely applied by the United Nation’s Criminal Tribunal for the Former Yugoslavia.

As I will try to show in the second part, the extensive use of JCE as a kind of “magic bullet” (Schabas) of the Prosecution, seems especially contentious in the actual case against the three Croatian generals (Čermak, Gotovina, Markač) acting as the highest ranking participants of a wide-ranging military operation from 1995. What makes this case controversial is primarily (but not exclusively) the fact that the Tribunal did not question the lawfulness of the operation “as such” but, as stated in the summary of its judgment from 15 April 2011, focused on the “natural and foreseeable consequences of the execution of the joint criminal enterprise” to which the accused generals (together with Croatia’s entire political and military leadership) have allegedly contributed. The moral significance of this case (as some other similar cases too) can be appreciated in the light of the declared political motives for the establishment of the Hague Tribunal. Among these motives the most often cited – although with thinning enthusiasm – are the individuation of guilt, the reconciliation of conflicting parties, and the restoration of enduring peace in the region. As of now, it seems that none of these grand objectives is likely to be reached – not in the near future, anyway. As I will argue in the third part, at least one of the reasons for this anticipated failure has to do with the Tribunal’s substantive employment of the notion of JCE as a particularly controversial instantiation of the collective agency doctrine.

## Metaethical internalism and moral realism

ADRIAN KUŹNIAR

University of Warsaw – Institute of Philosophy  
Krakowskie Przedmieście St. 3, 00–927 Warsaw, Poland  
adrian\_kuzniar@uw.edu.pl

The paper is devoted to the critical analysis of the *de dicto* internalist cognitivism (DDIC) theory presented by Jon Tresan and to the strengthening of *de re* internalist conativism (DRIC) as the most adequate metaethical concept consistent with the positions of internalism and moral realism. Cognitivists argue that moral beliefs are typical mental representations, while conativists hold that these are conations, i.e. motivational states. According to *de dicto* internalism, necessarily, moral beliefs are accompanied by conations; according to *de re* internalism, moral beliefs are necessarily accompanied by conations. DDIC makes belief that *x* is morally good/wrong concepts distinctive far beyond necessity. This is such due to the rejection of That-Clause, whereby, if a state of mind that *p* concept applies to something, it necessarily applies to it, and the attribution to the belief that *x* is morally good/wrong concepts of the status of further entailers. Most importantly, it turns out that DRIC supporters can consistently be moral realists and claim that the property of being good is identical with a natural property *F*, or more precisely that the concept of what is morally good and the concept of the property *F* are two *radically different* concepts of *the same* property.

## **Applying the precautionary principle to synthetic biology: Deliberation, probability and the precautionary paradox**

**CECILIA NARDINI / CHRISTOPHER WAREHAM**

European School of Molecular Medicine & University of Milan  
IFOM–IEO Campus, Via Adamello 16, Milano, 20139 Italy  
Cecilia.Nardini@ifom-ieo-campus.it  
Christopher.Wareham@ifom-ieo-campus.it

Craig Venter’s recent success in creating an organism with a complete synthetic genome has sparked calls for tighter regulation of the field of synthetic biology. In particular, many commentators have urged that the precautionary principle be employed to safeguard against potentially catastrophic consequences. A key component of the precautionary principle is the idea that if the potential harm is more severe, a lower probability of harm is required in order to intervene. We examine a central objection to the precautionary principle: that its application entails crippling inaction and incoherence, since whatever action one takes there is always a chance that some highly improbable cataclysm will occur. In response to this difficulty we argue that it is necessary to set a threshold of probability below which potential dangers can be disregarded, as well as to provide a mechanism with which to assign the probabilities of the dangers themselves. As such, the application of PP requires the interplay of ethics and probability theory. We claim that probability threshold setting in some of the circumstances in which PP is invoked should be augmented by deliberative methods. Thereafter, we outline a Bayesian method for assigning probabilities in situations of uncertainty and ignorance.

## **Bodies, persons and respect for humanity: A Kantian look at the permissibility of organ commerce and donation**

**LINA PAPADAKI**

University of Crete – Department of Philosophy and Social Studies  
Campus of Rethymnon, 74100 Rethymno, Greece  
lina\_papadaki@yahoo.com

Can choosing to sell one’s kidney be morally permissible? “No”, Kant would answer. Humanity, whether in one’s own person or that of any other, must never be treated merely as a means, but always at the same time as an end, is Kant’s instruction (*Groundwork* 4: 429). He thought that organ sale violates this imperative. This paper explains Kant’s reasons against commerce in organs, drawing on his views on prostitution, and the moral impermissibility of sexual use within this context, a case

which he himself compares to the selling of one's body part(s). Can choosing to donate one's kidney be morally permissible? If we take Kant's views at face value, it would follow that organ donation is on a par with morality *only* if it takes place in a context where people have gained rights over each other's persons (for example, in a marital context). In this context, however, a person has a *right* to her partner's kidney should she happen to need it, which can open the path to bodily violation. Moreover, this view severely restricts the permissibility of organ donation. In this paper, I argue that a closer examination of Kant's views on what is involved in the idea of respecting humanity could reveal that organ donation does not violate the Categorical Imperative. In fact, it could be said to follow from such an imperative that we actually have a *duty* to organ donation.

## **The right to secede: Do we really need it?**

**ALEKSANDAR PAVKOVIĆ**

Macquarie University – Faculty of Arts  
Balaclava Road, North Ryde, NSW 2109, Australia  
University of Macau  
Av. Padre Tomás Pereira Taipa, Macau, China  
apavkovi1@gmail.com

Contemporary normative theorists of secession generally assume that certain groups have the right to secede the territories on which they are settled from the state within they reside. This group right, it is further assumed, generates a correlate obligation of the host state to allow the group to establish its own state and of the outside states to assist the group in this task. Not all groups that *claim* to have the right have the right: it is moral experts' assessment of the group's claims to secede that should reveal whether the group has or can gain the right. It thus appears that the right to secede is conceptually – or at least epistemologically – dependent on moral assessment of secessionist claims. This paper will briefly discuss three types of conceptual problems arising from the above view. First, how do we select the groups worthy of the right? Second, those groups – populations, peoples – which allegedly have the right, in fact do not exercise it. Instead selected individuals exercise it on behalf of the group. Third, why are outside states obliged to assist – by military means if necessary – the exercise of this right? Does this right also generate an obligation or liberty to use lethal force in defense of its exercise? Only those secessionist demands which are likely to cause serious harm or those which arise from persistent injustice/harm require moral assessment. But such demands can be morally assessed without any reference to the alleged right to secede. Therefore, for the purpose of moral assessment of secessionist demands, the right to secede appears to be quite unnecessary.

## **Killing the innocent: The case of September 11**

**NEVEN PETROVIĆ**

University of Rijeka – Department of Philosophy  
Slavka Krautzeka bb, 51000 Rijeka, Croatia  
neven.petrovic2@zg.htnet.hr

This work is an exercise in practical ethics that criticizes a decision of the German Federal Constitutional Court according to which it is unlawful to crush down a hijacked plane with hostages, which is certain to hit a building full of civilians. The argumentation strategy is to enumerate circumstances in which killing the innocent seems justified, and then to list consequentialist and deontological principles that try to show that doing this may be the right thing to do. After that it is investigated under which category does the case under the analysis belong and what would all of the listed moral principles say about it. The conclusion is that all convincing moral theories would, despite their otherwise numerous disagreements, agree that the hijacked plane with hostages should be destroyed before it hits the building. Although there is no attempt at a general theory on killing the innocent here, one hint at such a theory is offered on the basis of the present analysis.

## **“Procreative liberty”: What kind of liberty and right is it?**

**DARKO POLŠEK**

University of Zagreb  
Faculty of Human and Social Sciences – Department of Anthropology  
Ivana Lučića 3, 10000 Zagreb, Croatia  
dpolsek@ffzg.hr

In spite of the fact that “procreative liberty” has not been codified in any major human right declaration, there is an open discussion on whether it should be (or should have been). Majority of scholars agree that procreation *prima facie* seems to be so essential to fulfillment of human desires, that we should treat it as a human right. However, several ambiguities concerning such a claim burden the discussion, and may have been the prime reason to avoid codification of procreative liberty into the human rights list. Following Wesley Newcomb Hohfeld’s distinction between liberty rights and claim rights, I claim that procreative liberty should belong to the “liberty rights”, but not to the “claim rights”: i.e. actors may exercise their procreative liberty, but do not have a claim on others to fulfill that right for them. I explore the practical and political consequences of that contention.

## **Contraception: Natural, artificial, (im)moral**

**SNJEŽANA PRIJIĆ-SAMARŽIJA**

University of Rijeka – Department of Philosophy  
Slavka Krautzeka bb, 51000 Rijeka, Croatia  
prijic@uniri.hr

Permissibility of contraception as the method of birth control is closely connected with the issues about moral justification of procreative autonomy, namely the question whether or not individuals should be allowed to autonomously and freely decide if they are going to have children, when and how many. The development of medical and scientific technologies led to usage of artificial methods of contraception that can prevent conception with the goal of postponing and planning the birth of a child. In the first part I have analyzed bioethical arguments that appear in debates about reproductive autonomy and that can be mobilized against the permissibility of contraception. In the second part I have compared bioethical arguments to those used against the artificial contraception in the literature about the philosophy of sexuality. In the third and final part, I have argued against the stance of G. E. M. Anscombe and J. Finnis that artificial contraception is morally more questionable than natural methods of birth control.

## **Importance of an active role of research community in biopolicy formation process: The case study of hESC policy in Czech Republic and Slovakia**

**PETER SÝKORA**

University of St. Cyril and Methodius in Trnava – Centre for Bioethics, Philosophy Department  
Nam. J. Herdu 2, 917 01 Trnava, Slovak Republic  
sykora@infovek.sk

After the dissolution of Czechoslovakia in 1993, and from the outset of both the Slovak and Czech Republics, each shared almost identical legislation, including healthcare laws. However, after 10 years of independent development in the field of hESC research, their biopolicies were to find themselves diametrically opposed. But more detailed analysis of the process of biopolicy forming seems to reveal that the key factor responsible for the contemporary permissive hESC research legislation in the Czech Republic was not the modernistic, liberal and atheistic character of this particular country, but was in fact the active role played by the pro-research lobby, together with high status of science in Czech society. Can we even make a more general conclusion from the above case and suggest that in the absence of a respected and influential pro-research lobby in a country, there is no ideological opponent supportive of the pro-scientific position who could thus succeed in surmounting nascent public opposition to bioethically controversial scientific research?

## Biographical Notes



JOVAN BABIĆ is professor of ethics at the University of Belgrade and visiting professor at Portland State University. He is author of *Kant and Scheler* (1986) and *Morality and Our Time* (1998, 2<sup>nd</sup> ed. 2005), both in Serbian, and numerous articles among which are “Justifying Forgiveness” (*Peace Review*, 2000), “Die Pflicht nicht zu lügen – eine vollkommene, jedoch nicht auch juristische Pflicht” (*Kant-Studien*, 2000), “Foreign armed intervention: Between justified aid and illegal violence” (in *Humanitarian Intervention: Moral and Philosophical Issues*, 2003), “Toleration vs. doctrinal evil in our time” (*Journal of Ethics*, 2004) and “The Structure of Peace” (in *World Governance: Do We Need It, Is It Possible, What Could It (All) Mean?*, 2010).

ELVIO BACCARINI teaches at the University of Rijeka. His research interests include the intersection of political liberalism, deliberative democracy and multiculturalism, as well as ethics of new biotechnologies and the question of art and moral knowledge. He has published books in Italy and Croatia, and articles in several journals in Croatia and other European countries. He has been invited for giving talks in universities in UK, Italy, Hungary, Norway and in the region.

RADIM BĚLOHRAD is assistant professor at Masaryk University in Brno, the Czech Republic. He currently teaches ethics and philosophy of language, but his interests also include personal identity, metaphysics and the science-religion debate. He has written a book *Personal Identity and its Practical Value* (in print) and his recent articles include “Atheism, theism and the justification of private evidence” and “The metaphysical and moral premises of the abortion debate”.

TOMISLAV BRACANOVIĆ is assistant professor in the Department of Philosophy at the University of Zagreb – Center for Croatian Studies where he teaches courses in ethics and philosophy of science. His particular interests are biological explanations of moral behavior and their normative and metaethical implications. He published one book and a number of articles and book reviews in Croatian and international journals. He also presented papers at many philosophical conferences.

DANIELA CUTAS is research fellow in practical philosophy. Research areas: bioethics in particular (human reproductive technologies and reproductive genetics, genetic therapy and enhancement), ethics of personal relationships, research ethics, practical philosophy in general. Most popular publications to date: D. Cutas, L. Bortolotti, “Natural versus assisted reproduction. In search of fairness”, *Studies in Ethics, Law and Technology* 4(1) 2010: 1–18, and D. Cutas, “Sex is overrated. On the right to reproduce”, *Human Fertility* 12(1) 2009: 45–52.

MIHAELA FRUNZĂ is lecturer Ph.D. at the Department of Philosophy at Babes-Bolyai University from Cluj. Teaches courses in Ethics, Medical ethics, Moral philosophy, Advertising and cultural studies, and Ethics, gender and interdisciplinarity. She authored the volumes *Expertiza etică și bioetică. Studii de caz [Ethical expertise and bioethics. Case studies]* (2010), *Tematizări în eticile aplicate. Perspective feministe [Approaches in Applied Ethics. Feminist Perspectives]* (2009) and *Ideologie*

*si feminism [Ideology and Feminism]* (2004), co-edited five volumes and is author of more than 20 studies and articles on topics of applied ethics in refereed journals. She is editor at the *Journal for the Study of Religions and Ideologies* and is member of the board of *Philobiblon*.

SANDU FRUNZĂ is associate professor (Faculty of Political, Administrative and Communication Sciences, Babes-Bolyai University, Cluj, Romania). He teaches courses on political ethics, communication ethics, legislation in mass-media, etc. He is editor of the *Journal for the Study of Religions and Ideologies*, and author of the books: *God and the Holocaust in Elie Wiesel* (2010), *Philosophy and Judaism* (2006), *Religious Fundamentalism and the New Conflict of Ideologies* (2003), *Religious Experience in Dumitru Staniloae's Thought* (2001), *Love and Transcendence* (1999), *A Mystical Anthropology* (1996). He is editor or co-editor of the books: *The Institutional Crisis of Philosophy* (2010), *Essays in Honor of Moshe Idel* (2008), *Education and Cultural Diversity* (2006), *The Challenges of Multiculturalism in Central and Eastern Europe* (2005), *Steps towards Integration: Religion and Human Rights in Romania* (2004), and *Philosophy and Religion. A Multidisciplinary Approach* (2001). Sandu Frunza is also author of more than 25 articles in refereed journals.

TOMISLAV JANOVIĆ is assistant professor in the Department of Philosophy and the Department of Communication Science at the University of Zagreb – Center for Croatian Studies. His interests range from philosophy of mind and philosophy of social science to ethics and communication theory. He taught or teaches courses in all those disciplines. He wrote 15 scientific articles and more than 10 professional papers and book reviews, both in Croatian and English. He also presented 20 papers at international conferences.

ADRIAN KUŹNIAR was awarded a PhD degree in philosophy in 2007 at Warsaw University's Institute of Philosophy, where he is currently employed as a junior academic in the Philosophy of Science Unit. His PhD thesis was supervised by Professor Zbigniew Szawarski. In 2009, he published a book entitled *Język i wartości (Language and Values)* in which he put forward and defended his own evolutionary version of metaethical expressivism. He authored a number of papers which appeared in the best Polish philosophical journals. His professional interests include metaethics, normative ethics, ontology, and philosophy of science. He was a Marie Curie postgraduate fellow at the University of Manchester, UK; in 2010 he stayed as a guest researcher at the University of Oslo, Norway.

CECILIA NARDINI graduated in Physics in 2007. She is currently engaged in a PhD program in Foundation of the Life Sciences and their Ethical Consequences, in Milan. The program is run by the European School of Molecular Medicine and the University of Milan, and it concerns both Philosophy of Science and ethical questions. Her current research interests include foundations of probability and of statistical inference and the ethical and epistemological aspects of clinical trials.

LINA PAPADAKI is currently a lecturer in the Department of Philosophy and Social Studies at the University of Crete. Her research interests are in moral and feminist philosophy. She did her M.A. and Ph.D. in the Philosophy Department of Sheffield University. Prior to coming to Crete, Lina had a lectureship in philosophy at Birkbeck College, University of London.

ALEKSANDAR PAVKOVIĆ teaches political theory and comparative politics at Macquarie University, Sydney and the University of Macau, China. Until recently his main research interest was in theory and practice of secession, in particular in the ideologies justifying secession and political violence associated with it. From there his interests have expanded to include various solutions to the secessionist challenges, in particular the concept of the world state. He is the author of *The Fragmentation of Yugoslavia* (Palgrave 2000) and of the *Creating New States: Theory and Practice of Secession* (Ashgate 2007). He is an editor of *On the Way to Statehood* (Ashgate 2007) and of *Patriotism* (Ashgate 2008) and of the *Ashgate Research Companion on Secession* (forthcoming in 2011).

NEVEN PETROVIĆ received B.A. in Philosophy and Comparative Literature at the University of Zagreb. His graduate studies took place at the Central European University (in Prague and Budapest) where he got both M.A. and PhD. Although these degrees were in Sociology and Political Science, the subject of his research was always political philosophy. At present he is employed at the Department of Philosophy, the University of Rijeka, Croatia where he teaches various subjects – mainly in the field of ethics and political theory. He has published several journal articles and one larger overview of contemporary theories of distributive justice for a textbook in business ethics.

DARKO POLŠEK is full professor at Department of Anthropology, Faculty of Human and Social Sciences, Zagreb and senior researcher (scientific advisor) at the Institute of Social Sciences in Zagreb. Fulbright scholar at Virginia Tech, Blacksburg 1997. Deputy Minister of Science and Technology from 2000–2002. Scholar at University of Oxford 2002 (St. Catherine's College). OEAD scholar at Karl Franzens University Graz in 1991 and DAAD scholar at Heidelberg University. Member of the High Level Expert Group of the European Commission in Brussels 2004 on public assessment of converging technologies. Invited lectures to London School of Economics on Karl Popper, to the Central European University (where he organized a conference on Popper and Hayek), to Salzburg Seminar on public assessment of genetics, to New America Foundation (Washington) on globalization. President of the Department of Sociology, NGO Matrix Croatia since 2000. Founder of Friedrich Naumann Foundation – Croatia. Coordinator of MBA Kelley School of Business in Zagreb. Published 9 books and several dozen papers. Recent academic interests: behavioral economy, bioethics.

SNJEŽANA PRIJIĆ-SAMARŽIJA teaches at the Faculty of Humanities and Social Sciences, University of Rijeka. Currently holds the position of vice-rector for teaching

and student's affairs at the University of Rijeka. Her main scientific interest is epistemology and modern philosophy from Descartes to Kant but she is also engaged in the areas of applied ethics and gender studies. She has published three books, she is the editor of eight companions and special issues of journals and she is the author of more than fifty scientific and professional articles. She was the leader and a collaborator on seven foreign and domestic research projects, invited speaker and participant at many international and national scientific meetings and visiting professor at universities in Italy, United Kingdom, Hungary, Slovenia and others.

NEVEN SESARDIĆ is a professor of philosophy at Lingnan University, Hong Kong. His main research interest is philosophy of science and philosophy of biology, with special emphasis on the influence of politics on science and philosophy. His publications include the book *Making Sense of Heritability* (Cambridge University Press, 2005) and articles in journals like *Ethics*, *Journal of Philosophy*, *Philosophy of Science*, *British Journal for the Philosophy of Science*, *Biology and Philosophy*, etc.

PETER SINGER was born in Melbourne, Australia, on July 6, 1946, and educated at the University of Melbourne and the University of Oxford. He has taught at the University of Oxford, La Trobe University and Monash University. Since 1999 he has been Ira W. DeCamp Professor of Bioethics in the University Center for Human Values at Princeton University. From 2005, he has also held the part-time position of Laureate Professor at the University of Melbourne, in the Centre for Applied Philosophy and Public Ethics. Peter Singer first became well-known internationally after the publication of *Animal Liberation* in 1975. Since then he has written, co-authored, edited or co-edited more than 40 other books, including *Practical Ethics*; *The Expanding Circle*; *How Are We to Live?*, *Rethinking Life and Death*, *The Ethics of What We Eat* (with Jim Mason) and most recently, *The Life You Can Save*. His works have appeared in more than 20 languages. He is the author of the major article on Ethics in the current edition of the *Encyclopaedia Britannica*. Two collections of his writings have been published: *Writings on an Ethical Life*, which he edited, and *Unsanctifying Human Life*, edited by Helga Kuhse, and also two collections of critical essays, with responses: *Singer and Critics*, edited by Dale Jamieson, and *Peter Singer Under Fire*, edited by Jeffrey Schaler. Outside academic life, Peter Singer is a member of the Leadership Council of Oxfam America, an Honorary Vice-President of the Royal Society for the Prevention of Cruelty to Animals (UK), and a member of the Advisory Board of GiveWell.net. In 2005 *Time* magazine named him one of the 100 most influential people in the world, and in 2008 he was included in the 100 leading public intellectuals in the world, as decided by a poll of readers of *Prospect* and *Foreign Policy* magazines. Peter Singer is married, with three daughters and three grandchildren. His recreations, apart from reading and writing, include hiking and surfing.

PETER SÝKORA is professor of philosophy and director of the Centre for Bioethics at St. Cyril and Methodius University (UCM) in Trnava, Slovakia. He is originally evolutionary biologist (Charles University in Prague) who has turned to philosophy

and bioethics (Comenius University in Bratislava and Masaryk University in Brno). His recent publications include “Altruism in medical donations reconsidered: The reciprocity approach”, in M. Steinmann, P. Sykora and U. Wiesing (eds.), *Altruism Reconsidered: Exploring New Approaches to Property in Human Tissue* (Ashgate 2009), *Ethical Aspects of Early Human Embryos in Biomedicine* (UCM 2009) and a chapter on hESC biopolicy in B. J. Capps and A. V. Campbell (eds.), *Contested Cells: Global Perspectives on the Stem Cell Debate* (Imperial College Press 2010). He is a member of National Ethics Committee in Slovakia.

ZBIGNIEW SZAWARSKI is philosopher with particular interests in moral philosophy, philosophy of medicine and medical ethics. Graduated at Warsaw University in 1963. In 1975/6 – one year scholarship at the Oxford University. From 1989 a member of the European Society for Philosophy of Medicine and Health Care. Former co-editor of *Etyka*. Participant of several BIOMED European projects. In 1990–99 lecturer at the Centre for Philosophy and Health Care, the University of Wales, Swansea. From 1999 till 2010 professor of moral philosophy at the Institute of Philosophy, Warsaw University. Author of the *Wisdom and the Art of Healing* (2005) and several papers in ethics. Secretary of the Committee for Ethics in Science at the Presidium of the Polish Academy of Science. Member of ALLEA Standing Committee on Science and Ethics.

CHRISTOPHER WAREHAM is engaged in an interdisciplinary PhD program in the foundations and ethics of the life sciences conducted by the European School of Molecular Medicine, in conjunction with the University of Milan. His research interests include philosophy of science, political theory and normative and applied ethics, particularly the ethics of emerging biotechnologies.



## Our Previous Conferences

- 2010 *Metaphysics, Language, and Morality* (Zagreb, Croatia)
- 2010 *International Workshop on Aristotle's De Caelo, Book I* (Zadar, Croatia)
- 2009 *David Hume in Historical and Contemporary Context* (Zagreb, Croatia)
- 2008 *Perspectives on Russell* (Zagreb, Croatia)
- 2008 *Philosophy and Religion* (Zagreb, Croatia)
- 2007 *Descartes and Contemporary Philosophy* (Samobor, Croatia)
- 2006 *John Stuart Mill and his Philosophical Legacy* (Samobor, Croatia)
- 2005 *Freedom and Equality in Contemporary Philosophy* (Samobor, Croatia)
- 2004 *Belief, Justification and Knowledge* (Zagreb, Croatia)
- 2003 *Plato on Goodness and Justice* (Zagreb, Croatia)
- 2003 *Schelling's Philosophy of Mythology* (Zagreb, Croatia)
- 2002 *Contemplating Art* (Varaždin, Croatia)

*Prolegomena*  
Journal of Philosophy



Participants of the conference are invited to submit full-length versions of their papers for publication in the peer-reviewed and open-access journal *Prolegomena*, published both in print and online by the Society for the Advancement of Philosophy and the University of Zagreb – Center for Croatian Studies. *Prolegomena* publishes articles in all areas of contemporary philosophy, as well as articles on the history of philosophy, particularly those which aim to combine a historical approach with current philosophical trends. Special emphasis is placed on the exchange of ideas between philosophers of different theoretical backgrounds and on interdisciplinary research into the relationship between philosophy and the social and natural sciences. *Prolegomena* is published biannually in English, German or Croatian. It is indexed and abstracted in *Arts & Humanities Citation Index*, *Current Contents / Arts & Humanities*, *Dietrich's Index Philosophicus*, *Humanities International Index*, *International Bibliography of Book Reviews of Scholarly Literature in the Humanities and Social Sciences*, *International Bibliography of Periodical Literature in the Humanities and Social Sciences*, *Philosopher's Index* and *Scopus*.

***Prolegomena Online***

<http://hrcak.srce.hr/prolegomena>

## Organizing Committee

### *President*

TOMISLAV BRACANOVIĆ

University of Zagreb, Center for Croatian Studies – Department of Philosophy  
tomislav.bracanovic@hrstud.hr

### *Secretary*

KAROLINA KUDLEK

Society for the Advancement of Philosophy, Zagreb  
casopisni.ured@hrstud.hr

DUŠAN DOŽUDIĆ

University of Zagreb, Center for Croatian Studies – Department of Philosophy  
ddozudic@hrstud.hr

TOMISLAV JANOVIĆ

University of Zagreb, Center for Croatian Studies – Department of Philosophy  
tjanovic@inet.hr

TVRTKO JOLIĆ

Institute of Philosophy, Zagreb  
tjolic@hrstud.hr

LOVORKA MAĐAREVIĆ

University of Zagreb, Center for Croatian Studies – Department of Philosophy  
lmadjarevic@hrstud.hr

JOSIP TALANGA

University of Zagreb, Center for Croatian Studies – Department of Philosophy  
josiptalanga@yahoo.com

PUBLISHERS

University of Zagreb – Center for Croatian Studies  
Society for the Advancement of Philosophy

EDITORS

Karolina Kudlek  
Tomislav Bracanović

Typeset by Ocean graf (Zagreb, Croatia)

Printed in 200 copies by Top Dan (Samobor, Croatia)

ISBN 978-953-6682-99-7

All rights reserved. No part of this publication may be reproduced or distributed in any form or by any means, or stored in a database or retrieval system, without the prior written permission of the authors.