

1. Record Nr.	UNINA9910484604503321
Autore	Valdes Erick
Titolo	Biolaw : origins, doctrine and juridical applications on the biosciences / / Erick Valdes
Pubbl/distr/stampa	Cham, Switzerland : , : Springer, , [2021] ©2021
ISBN	3-030-71823-9
Descrizione fisica	1 online resource (244 pages)
Collana	International Library of Bioethics ; ; Volume 87
Disciplina	344.041
Soggetti	Medical laws and legislation Public health laws Medical ethics
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Intro -- Introduction -- Contents -- About the Author -- 1 The Birth of Biolaw: From American Bioethics to European Biolaw -- 1.1 Inception -- 1.1.1 The Nuremberg Code -- 1.1.2 Tuskegee -- 1.1.3 Willowbrook -- 1.2 The Belmont Report -- 1.2.1 Boundaries Between Practice and Research -- 1.2.2 Basic Ethical Principles -- 1.2.3 Applications -- 1.3 The Relationship Between the Belmont Report and Biolaw -- 1.4 Principles of Biomedical Ethics and Principlism -- 1.4.1 Respect for Autonomy -- 1.4.2 Nonmaleficence -- 1.4.3 Beneficence -- 1.4.4 Justice -- 1.5 Critiques on Principlism -- 1.5.1 Jonsen and Toulmin's Critique -- 1.5.2 Clouser and Gert's Critique -- 1.5.3 Callahan's Critique -- 1.6 The Relationship Between Principlism and Biolaw -- 1.7 The Birth of European Biolaw -- 1.7.1 Epistemological, Institutional and Jurisdictional Configuration of European Biolaw -- 1.7.2 Historical and Legal Evolution -- References -- 2 Traditional Conceptions of Biolaw -- 2.1 Introduction -- 2.2 The Wrong Understanding of Biolaw from Bioethics -- 2.2.1 European Conception: Juridification and Complementation -- 2.2.2 Critiques on European Conception -- 2.2.3 Mediterranean Conception: Subjection and Overlap -- 2.2.4 Critiques on Mediterranean Conception -- 2.2.5 American Conception: Substitution and Colonization -- 2.2.6 Critiques on American Conception -- 2.2.7 International Conception: Intersection -- 2.2.8

Critiques on International Conception -- 2.3 Conclusions -- References -- 3 Principles of European Biolaw -- 3.1 Principles -- 3.1.1 Autonomy -- 3.1.2 Dignity -- 3.1.3 Integrity -- 3.1.4 Vulnerability -- 3.1.5 Principles' Framework -- 3.2 Strengths and Weaknesses of European Biolaw's Principlism -- 3.2.1 Strengths -- 3.2.2 Weaknesses -- References -- 4 Reformulation and Juridification of Biolaw's Principles: A Possible New Framework.

4.1 Is It Possible to Juridify European Biolaw? -- 4.2 Juridification of European Biolaw's Principles -- 4.3 Specifying (Juridifying) Bioethical Principles -- 4.3.1 Case: Everyone Met the Rules but Pop Black Died -- 4.3.2 Main Elements at Stake -- 4.3.3 Supporting Arguments -- 4.3.4 Applying the Four Principles Approach -- 4.3.5 How a Principlist Should Reason and Solve the Case? -- 4.3.6 Case Decision -- 4.3.7 Conclusions -- 4.4 A Possible New Framework -- 4.4.1 Utilitarianism and Bioethics -- 4.4.2 Classical Utilitarianism -- 4.4.3 The Principle of Utility in Bioethics -- 4.4.4 Some Conclusions Before the Framework -- 4.5 New Framework -- References -- 5 A New Conception of Biolaw -- 5.1 Definition -- 5.1.1 Why Biolaw Is Not Bioethics -- 5.1.2 The Crisis of Biolaw's Jurisdiction: Why Biolaw Is a New Branch of Law -- 5.1.3 Biolaw as an Epistemology, Model, Approach and Branch of Law -- 5.2 Why We Need Biolaw -- 5.3 Contributions of Biolaw to Juridical Science: Integrating New Biorights into Legal Systems -- 5.4 The Constitutionalization of Biolaw -- 5.5 Conclusions -- References -- 6 Biolaw and the Biosciences -- 6.1 Introduction -- 6.2 Genetic Manipulation -- 6.2.1 International Legal Frameworks for Genetic Manipulation -- 6.2.2 Imperfections of the Criminal Type in Genetic Manipulation -- 6.2.3 Proposal to Optimise Genetic Manipulation's International Regulation -- 6.2.4 Conclusions -- 6.3 Dysgenic Practices and Disability -- 6.3.1 Introduction -- 6.3.2 The Court's Ruling: Explanation, Criticism and Its Coincidence with the Inter-American Court of Human Rights' Jurisprudence -- 6.3.3 Balancing the Constitutional Court's Arguments -- 6.3.4 The Court's Concept Fissures -- 6.3.5 Contributions of Biolaw to Colombian, Inter-American and International Legal Systems -- 6.3.6 Conclusions -- 6.4 Genome Editing (CRISPR/Cas9).

6.4.1 Explaining the Technique -- 6.4.2 Applications and Policy Issues -- 6.4.3 Controversial Point -- 6.4.4 Principles for Governance of Human Genome Editing -- 6.4.5 Specified Rules to Conduct CRISPR/Cas9 -- 6.5 Enhancement -- 6.5.1 Definition -- 6.5.2 Why Enhancement Is Right -- 6.5.3 Why Enhancement Is Wrong -- 6.5.4 Some Guidelines for Regulation -- 6.6 Human Genome Issues -- 6.7 Genetically Modified Organisms -- 6.8 Biosecurity -- 6.9 Conclusions -- References -- 7 Technology, Nature, Animals and Biolaw -- 7.1 Introduction -- 7.2 Law and Technology: A Philosophical Reflection -- 7.3 Contemporary Technology and the Modified Scope of Human Action -- 7.4 The Reification of Nature -- 7.5 The Juridical Meaning of Contemporary Technology -- 7.6 From (Techne) to Contemporary Technology -- 7.7 The Dissolution of (Physis) in the Technological Experience of the World -- 7.8 Technology as a Subjection Device: Biotechnology -- 7.9 Technology as Second Nature -- 7.10 Biolaw and Contemporary Technology -- 7.11 Animal Suffering and Biolaw -- References -- Conclusions -- Index.

---