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| Titolo | Axiological Pluralism : Jurisdiction, Law-Making and Pluralisms // edited by Lucia Busatta, Carlo Casonato |
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| Collana | Ius Gentium: Comparative Perspectives on Law and Justice, , 2214-9902 ; ; 92 |
| Disciplina | 344.041 |
| Soggetti | Medical laws and legislation Private international law Conflict of laws International law Comparative law Ethics Law - Philosophy Law - History Medical Law Private International Law, International and Foreign Law, Comparative Law Moral Philosophy and Applied Ethics Theories of Law, Philosophy of Law, Legal History |
| Lingua di pubblicazione | Inglese |
| Formato | Materiale a stampa |
| Livello bibliografico | Monografia |
| Nota di bibliografia | Includes bibliographical references. |
| Nota di contenuto | Part 1. Adjudication and Regulation Facing Pluralisms: Models And Trend -- Perspectives -- BioLaw facing pluralisms: three simple models for complex issues -- Some patterns for "scientific adjudication": the role of courts in reconciling axiological pluralism and scientific complexity -- Part 2: Accommodating Pluralisms Beyond Courts?: Institutions and Tools -- Research Ethics Committees -- Consultative boards at international level -- Reckoning with growing pluralism. Potentials and limits of conscientious objection: Conscience clauses in abortion laws in Europe -- Professional (medical) ethics -- Part 3. Case |

Studies -- Axiological Pluralism: Conflict in the Hospital, Resolution in the Courts -- Moral pluralism and health claims as a challenge for the democratic principle. The cases of non validated therapies and vaccinations -- Reliance on Scientific Claims in Social and Legal Contexts: An 'HIV and AIDS' Case Study -- Reproductive Rights -- End of life issues -- Patient's rights at the end of life in Chilean legal system. Legal and jurisprudential analysis from a biolaw's perspective.

Sommario/riassunto

This book analyses the features and functionality of the relationship between the law, individual or collective values and medical-scientific evidence when they have to be interpreted by judges, courts and para-jurisdictional bodies. The various degrees to which scientific data and moral values have been integrated into the legal discourse reveal the need for a systematic review of the options and solutions that judges have elaborated on. In turn, the book presents a systematic approach, based on a proposed pattern for classifying these various degrees, together with an in-depth analysis of the multi-layered role of jurisdictions and the means available to them for properly handling new legal demands arising in plural societies. The book outlines a model that makes it possible to focus on and address these issues in a sustainable manner, that is, to respond to individual requests and technological advances in the field of biolaw by consistently and effectively applying suitable legal instruments and jurisdictional interpretation.
