

LAW DEGREE COURSE, LMG/01

Bio-law

a.y. 2023/2024 – First semester – 6 CFU

Professor

CRISTOFORO RICCI

Title of the course: Bio-law

Academic year: 2023/2024 – First semester

Modular structure: No

Scientific disciplinary sector: IUS/01 - PRIVATE LAW

Professor: Cristoforo Ricci

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Qualification and University of belonging: Adjunct professor at the “*Magna Graecia*” University of Catanzaro

Number of credits allocated to the course: 6

Teaching organization:

- hours of total commitment: 150

- hours of individual study: 108

- hours of lessons: 42

Type of formative activity: At the student’s choice

Teaching language: Italian

Participation in attendance: Facultative

Teaching Program:

Bioethics, biopolitics and bio-law (definition, historical origin, epistemological status, and characteristics).

Ethical theories in bioethics (liberal-libertarian bioethics, utilitarian bioethics, bioethics of principles, bioethics of virtues, feminist and feminine bioethics, bioethics of responsibility, personalist bioethics).

The distinction between lay bioethics and catholic bioethics (analysis and critical reliefs).

Bioethics and the process of secularization.

Bio-law models and sources of bio-law.

The concept of the human person.

The legal status of the human embryo.

Assisted reproductive technologies.

The embryo researches.

The cloning.

The prenatal diagnosis.

The abortion.

The acts of disposition of the body.

Informed consent.

The sterilisation.

The prostitution.

Organ transplantation.

The advance healthcare directive (or living will).

Intended learning outcomes:

The course of «Bio-law» aims to make a careful study of the relationships between human life and the legal rules. The purpose is to ensure the student an approach to the topics of the course that is not only technical-legal, but also ethical and anthropological. In fact, it is directed above all to the acquisition of the indispensable starting point represented by the essential value of the human person. In order to achieve this result, the student is required to have a basic knowledge of private law, together with adequate reflective skills. The teaching also aims to encourage the development of critical skills of the student not only about the current state of law (including the contribution of jurisprudence as «living law»), but also about the draft legal regulations in such a sensitive area of regulatory experience.

Reference texts:

At the student's choice, one of the following textbooks:

1. PALAZZANI L., *Dalla bio-etica alla tecno-etica: nuove sfide al diritto*, Giappichelli, Turin, last edition (only on pages 3-291).
2. BRAMBILLA G., *Riscoprire la Bioetica. Capire, formarsi, insegnare*, Rubbettino, Soveria Mannelli, last edition (only on pages 7-296 and 397-485).
3. DI ROSA G., *Dai principi alle regole. Appunti di biodiritto*, Giappichelli, Turin, last edition (full text).
4. MASONI R., *Il corpo umano tra diritto e medicina*, Giuffrè, Milan, last edition (chapters 1-7, 9 and 13-23).
5. RODOTÀ S., *La vita e le regole. Tra diritto e non diritto*, Feltrinelli, Milan, last edition (full text).
6. BORSELLINO P., *Bioetica tra "moralì" e diritto*, Raffaello Cortina, Milan, last edition (chapters 1-5 and 8-12).
7. REICHLIN M., *Fondamenti di bioetica*, Il Mulino, Bologna, last edition (only on pages 11-48 and 69-150).

For the direct study of normative texts, it is essential to use a Civil Code with complementary laws, among which it is recommended the following edition:

1. PERLINGIERI G. and ANGELONE M. (edited by), *Codice civile*, Edizioni Scientifiche Italiane, Naples, last edition.

For attending students, the study material will be agreed during the course.

Teaching methods: Traditional teaching

Type of assessment: Oral exam

Assessment Methods: The criteria used for the evaluation of the student are those indicated in the following grid:

Evaluation	Knowledge and understanding of the topics.	Ability to analyse and synthesize.	References.
Unsuitable.	Significant shortcomings. Significant inaccuracies.	Irrelevant. Presence of frequent generalizations. Inability to synthesize arguments.	Completely inappropriate.
18-20	Just enough. Imperfections.	Barely sufficient capabilities.	Hardly appropriate.

21-23	Ordinary knowledge.	He/she can do analysis and synthesis correctly. He/she argues in a logical and coherent way.	He/she uses the standard references.
24-26	Good knowledge.	He/she has good appropriate synthesis and presentation skills. The topics are expressed consistently.	He/she uses the standard references.
27-29	More than good knowledge.	He/she has considerable presentation and synthesis skills.	He/she explored in depth the topics.
30-30L	Excellent knowledge.	He/she has remarkable synthesis and presentation skills.	Important and detailed insights.

Conditions of assignment of the thesis: The assignment of the thesis takes place after a personal interview with the student intended to outline the terms of commitment and seriousness required for the performance of the thesis work.