UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Bioetica

2627-3-A5810106

Learning objectives

The course in Bioethics and Biolaw aims at equipping legal students and all interested participants with theoretical instruments for conceptual analysis and rational argumentation useful to understand the different ethical-legal questions arising from scientific and technological advances applied in biomedicine, following an interdisciplinary approach.

In particular, at the end of the course the student should have acquired:

-Knowledge and understanding of the ethical-legal problems arising from new technologies and scientific advances in the biomedical context
-Ability to analyse ethical cases, to elaborate short opinions concerning ethically complex questions and identify possible legal solutions
-Critical thinking concerning interpretation of basic bioethical principles and identification of legal appropriate solutions
-Ability to present and discuss ethical-legal arguments, both in written and oral form
-Ability of self-learning, through consultation of opinions, guidelines, legal sources, legal doctrine, and jurisprudence as elaborated by institutions at the national, European, and international level.

Contents

The Bioethics and Biolaw course is structured around three main thematic areas.
The first area focuses on the methodological foundations of bioethics, the reasons for its emergence as a discipline, and its relationship with law, particularly through the field of biolaw.
The second area addresses the traditional issues around which bioethics originally developed, including end-of-life issues, beginning-of-life issues, clinical experimentation on human subjects, and research ethics.
The third area examines the frontier issues that are currently the subject of institutional debate and regulatory attention, namely, enhancement, gene editing, artificial intelligence in medicine, neuroscience, and

neurotechnologies.

The course is taught in Italian.

Detailed program

Bioethics is an interdisciplinary field of study that examines the ethical and legal issues raised by scientific advances and technological interventions in the biomedical, biogenetic, neurotechnological, and related fields, as they affect human beings, other living organisms, and the environment. Its aim is to clarify the ethical-philosophical foundations and legal implications of scientific and technological innovation. Reflection on legal regulation is now considered an integral part of bioethics as a discipline and therefore includes the field of* biolaw.*

This course, designed primarily for students of legal studies but open to all interested participants, will examine the characteristics of ethical debates concerning a range of issues and the impact of these debates on the choice of regulatory interventions in some of the most significant areas of bioethics. The course will also provide the theoretical tools necessary to critically evaluate the regulatory models that have shaped, or may shape, the development of biolaw in the future.

The course will address both the so-called traditional issues of bioethics—including the therapeutic relationship, end-of-life issues (treatment refusal, palliative care, medically assisted suicide, and euthanasia), beginning-of-life issues (medically assisted reproduction and termination of pregnancy), and clinical research (human and animal experimentation, as well as data protection)—and the so-called frontier issues, including human enhancement, genetic editing, artificial intelligence and robotics in medicine, and developments in the field of neurotechnology.

Students will be encouraged to reflect on the European institutional ethical debate and on current approaches to legal regulation in these areas.

The course is taught in Italian.

Prerequisites

None

Teaching methods

Lectures delivered in a traditional teaching format will be enriched by a number of guest sessions and in-depth contributions from national and international experts in bioethical and biolaw issues.

Teaching Methods and Materials:

- E-learning platform
- Use of PowerPoint presentations
- Ethical case studies

Assessment methods

Assessment criteria will include:
Assessment of learning will consist of an oral examination covering the topics discussed during lectures and the reference texts indicated in the following section of this syllabus. Particular attention will be paid to the extent to which the learning objectives of the course have been achieved, including:

-Knowledge of the main forms of argumentation used in bioethics and a critical understanding of the ethical issues raised by scientific and technological developments applied to biomedicine, both in traditional and emerging frontier issues selected during the course.

- Acquisition of an adequate ability to develop an autonomous, rigorous, and wide-ranging critical reflection on bioethical and biolaw-related phenomena through the appropriate and rigorous use of the conceptual categories acquired.
  -Acquisition of the fundamental conceptual and methodological tools necessary to develop an autonomous, critical, rigorous, and systematic capacity for judgment regarding the major bioethical and biolaw issues arising from scientific and technological developments in biomedicine.
  -Development of an adequate ability to analyze and present contents, theses, and arguments in a clear and rigorous manner through the reading of texts and materials and the use of appropriate and relevant bioethical and biolaw terminology.
- Development of an adequate ability to independently continue one's own learning and reflection on other bioethical issues and problems related to scientific and technological developments in biomedicine.

During the course, students will have the opportunity to complete an assessment consisting of the analysis of an ethical case related to one of the topics covered in class. The ethical case analysis will take place in the classroom and will be completed in written or oral form. Assessment will focus on:

-The ability to identify and distinguish between technical issues and ethical issues.
-The ability to indicate the main relevant legal and regulatory frameworks (where applicable) for addressing the ethical case in accordance with the framework of fundamental rights.
-The use of terminology that is appropriate and relevant to the discipline.

In general, the assessment of the oral examination will place particular value on the student's ability to develop an independent critical reflection on the topics included in the examination syllabus.

Although the overall syllabus and learning objectives of the course are the same for attending and non-attending students, students may choose to prepare for the examination according to one of the following two options:

(i) The first option, recommended only for attending students, consists of preparing for the examination through the explanations and critical discussions carried out during lectures, together with the sections of the reference texts that will be indicated and discussed throughout the course.

(ii) The second option, recommended for non-attending students, consists of preparing for the examination using the reference texts specified for non-attending students in the following section of this syllabus.

Please note that, in both cases, the critical reading of the assigned texts is considered an essential component for achieving the learning objectives of the course.

Textbooks and Reading Materials

TEXTBOOKS FOR PREPARING THE EXAM

To prepare the exam students must alternatively choose between a) or b)

a) Didactic material discussed during lecture and available on the E-learning platform (slides, notes taken during the course, and articles). This material refers to the current academic year.

or

**b) **they must study the following books

1)*P. BORSELLINO, Bioetica tra “morali” e diritto, Raffaello Cortina, Milano, 2018, ***limited to the following chapters 1,2,3,4, 5, 8, **

2. S*. SALARDI, Neurotecnologie tra potere e libertà. Medicina, etica, discriminazioni di genere, 2024 (***entire book**)

3. Readings that will be uploaded to the e-learning platform and designated as mandatory readings for the examination.

ATTENTION the difference between the materials to prepare for examination depends on the fact that during the course relevant updates are given, which may have not be already fully systematized in dedicated books. The advice is to participate in the course to get access to the uptodate institutional debate in bioethics.

Sustainable Development Goals

GOOD HEALTH AND WELL-BEING | QUALITY EDUCATION | GENDER EQUALITY | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS