

LETTER FROM THE EDITORS

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True to its legal-scientific, interdisciplinary approach this issue 2 of the journal Ius et Scientia brings together a select collection of thirteen doctrinal articles in which various topics related to biolaw addressed, bioethics, biomedicine, biology, epistemology, legal ethics and human rights. The attentive reader will see that, in all these works, there are questions of great scientific importance that need to be analyzed in a theoretical and practical forum plural, critical and transversal discussion as representing our journal.

In the first article, “Ubi societas, ubi ius: about the Rules of Organization of Gregarious Animals”, the author, Faustino Gudín Rodríguez-Magariños, holds that, as living beings that we are, human and animals have some identical problems. The solution of these problems may be involved in an inherent natural dynamic of life that the Philosophy of law must know how to recognize.

The second article is titled: “Limits on Biomedical Research in International and European Legal Order”, and the author, José Manuel Sánchez Patrón, identifies and examines those limits provided by international and European instruments, while systematized and clarified through a set of principles that will have to take into account the biomedical researcher in the exercise of their scientific activity.

Thirdly, “The Legal Interpretation of Fundamental Rights between Epistemological Holism and Quantum Mechanics”, Michele Zezza The

main goal of this article is to try to deepen some epistemological implications of the metamorphoses that affected the interpretative processes within the framework of the contemporary constitutional State, in order to critically analyse, in an interdisciplinary perspective, the philosophical foundations of the constitutional’s rights balancing activity.

In her work, titled: “Ethically Controversial Areas in Medical and Scientific Fields. Some Proposals for a Pacific Regulation”, Laura Gómez Abeja points out the main areas that have been considered more ethically controversial in the medical and scientific fields. This is the abortion, assisted reproduction, biomedical research and patient rights at the end of his life.

Andrés Bautista-Hernández shows us in his article titled: “Remarks on Legal Regulation of Disaster Risk Reduction. Special Focus on the UNESCO Practice in this Field”, that Prevention represents the early steep of the phases in disaster management. In his opinion, may be of interest the international practice related to prevention within the UNESCO, the main international organization in education, science and culture, but its role related to Disaster Risk Reduction is rarely known.

Sixthly, John Avilés Moreira in his paper on “Surrogative Gestation: Changes in the Parental Filiation”, aims to analyse concisely the current situation towards the surrogacy agreement, both in Spain and overseas. This analysis highlights the lack of consistency of this agreement in different countries, as well as the main obstacles that prevent an unified regulation.

Seventhly, in his paper on “Juridical Reasoning and Scientific Method: A Theoretical Taxonomy of the Paradigms at Stake”, Riccardo Perona investigates the possible ways to understand the relation between,

on one side, the area of legal study and legal reasoning and, on the other, the area of scientific study and method.

Eighth, in her paper on “Breach of Ethical Limits Ruling on Universally Recognized Fundamental Rights in the Field of Biomedicine”, Patricia Craviotto Valle bases her article on the need to join biomedical science and the legal regulation of the same, the history of the Spanish current regulations regarding organ donation and transplantation are analyzed, making a parallelism in comparative law between Latin American and European regulations. The recent law that has been created in Wales is analyzed.

Ninth, in her paper on “Lie Detection: Remarks from Neuroethics”, María Sánchez Vilanova addresses the bioethical aspects related to not so recent advances in cognitive neuroscience; specially the implications that the introduction of neuroscientific evidence in the criminal justice process for example the technique known as lie detector- can lead to.

Tenth, in his paper on “Human Dignity, (Bio)Medicine and GNR (Genetics, Nanotechnology and Robotics) Revolution: between Science and Law”, João Carlos Loureiro focuses on the connection between human dignity and biomedicine. The first part grapples, inter alia, with a set of objections against human dignity: its useless character, its deficit of universality or inclusiveness. In the second part the connection between human dignity and (bio)medicine is highlighted.

Eleventh, in his paper on “Epistemological Holism to the Area of Judicial Balancing”, Michele Zezza tries to apply some theoretical suggestions of the epistemological holism to the area of judicial balancing between constitutional principles and rights. A coherentist and contextual conception of knowledge could offer, in the field of legal interpretation,

theoretical suggestions to understand that a wider or narrower margin of normative indeterminacy is, in a certain sense, physiologic in a context of persistent conflict like the one characterizing contemporary constitutional States.

Twelfth, in his paper on “Science of Law in the Historic School and the Jurisprudence of Concepts”, Joaquín Garrido Martín provides some light into the complex study of the history of Jurisprudence and Philosophy of Law in the German nineteenth century. During this rich period the Science of Law revives: it turns on to the sources to work them in a new and updated way, according to models that endure to this day (Pandectism).

Thirteenth, in his paper on “Legislator in front of Science”, Simone Penasa deals with the problematic regulation at national level of medical and scientific issues and defends the necessity for national legislator of taking into consideration the sources of international and comparative law at this regard.

We would like to conclude by saying that since *Ius et Scientia*, constantly working to not only continue to publish semiannually in open scientific quality content, but to make our magazine appearing soon in rates and bases of national and international data. We hope to get early results that support this sincere commitment to rigorous scientific and legal research and dissemination of knowledge as interdisciplinary as it ranks first in this open debate and knowledge sharing space materials.