

La Corte costituzionale tra paternalismo e autodeterminazione. Note sull'ordinanza n. 207/2018

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The Italian Constitutional Court between Paternalism and Autonomy. Comments on Ord. n. 207/2018

Abstract: This essay examines the Italian Constitutional Court's decision "ordinanza n. 207/2018" in order to infer, from the arguments employed, which is the Constitutional Court's position about the question of establishing whether, according the Italian Constitution, a subject might legally renounce to her right to life. In fact, although this issue was explicitly raised by the Milan Court, it was not specifically addressed by the Constitutional Court. In this regard, the analysis will show how the arguments invoked by the Court are oscillating and suitable to justify different conclusions.

Keywords: Right to die, Right to life, Paternalism, Euthanasia, Italian Constitutional Court.

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