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Introduction

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SCIENTIFIC PROOF AND RELATIONS OF LAW AND MEDICINE

INTRODUCTION*

As an applied science, the law is concerned with the preservation of the social health of mankind. The armamentarium of the lawyer is his ability to interpret and administer the rules and regulations devised by men for the regulation of their own affairs. Medicine, on the other hand, is concerned with the preservation of the physical and mental health of man as an individual. The armamentarium of the physician is his knowledge of natural law.

That each profession in the fulfillment of its ordained task has need for the special knowledge and skill of the other, should be obvious. It is remarkable indeed, that there has been so little recognition of this mutual interdependence throughout the English-speaking part of the world. This lack of recognition is especially surprising in view of the fact that on the Continent of Europe law and medicine have cooperated effectively for the solution of common problems for well over two centuries.

Of the various problems that can only be solved through the joint efforts of both professions, none is in more pressing need of attention than the field of Scientific Proof. What constitutes an acceptable standard of scientific evidence? What kind of evidence should be used to determine the presence or absence of any given abnormality of mind or body? When can it be said that injury has contributed to or caused disability or death? What legal mechanisms will best assure the availability of truly reliable scientific evidence to Courts of Justice?

In the planning and editing of this symposium series, Dr. Smith has made an important contribution to the field of Scientific Proof. He has secured the cooperation of as authoritative a group representative of the medical and legal fields as it would be possible to find. It is to be hoped that this enterprise marks the beginning of a broad program wherein medicine and law will coordinate their efforts not only to elevate the standards of scientific evidence, but also to improve the manner in which such evidence is utilized in the administration of justice.

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* This prefatory item will appear also in 1 CLINICS (April 1943) 1347.