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Doctors and the Law: Medical Jurisprudence in Nineteenth-Century America

James C. Mohr

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James C. Mohr : Doctors and the Law: Medical Jurisprudence in Nineteenth-Century America before purchasing it in order to gage whether or not it would be worth my time, and all praised Doctors and the Law: Medical Jurisprudence in Nineteenth-Century America:

0 of 0 people found the following review helpful. Doctors and the LawBy student of theologyThis book was very informative and easy to read. I used it a major reference when I wrote an essay on doctors and lawyers. I was pleased with the book and it arrived on time and in excellant condition.

After the American Revolution, the new republic's most prominent physicians envisioned a society in which doctors, lawyers, and the state would work together to ensure public well-being and a high standard of justice. By the 1830s, medical jurisprudence was being taught as an important subject in the nation's best medical schools, new medical ideas about insanity inspired major legal reforms, and legal issues stimulated medical advances. Medical malpractice suits were so rare as to be curiosities. But as James C. Mohr reveals in *Doctors and the Law*, by mid-century what had once appeared to be fertile ground for cooperative civic service had become a battlefield, and the relationship between doctors and the legal system became increasingly adversarial.Mohr provides a graceful and lucid narrative of this startling transition from civic republicanism to marketplace professionalism. He shows how, by 1900, everything had

changed for the worse: doctors and lawyers were at each other's throats; medical jurisprudence had disappeared as a serious field of study for American physicians; the subject of insanity had become a legal nightmare; expert medical witnesses had become costly and often counterproductive; and an ever-increasing number of malpractice suits had intensified physicians' aversion to the courts. In short, the system we have taken largely for granted throughout the twentieth century was essentially in place, the product of a great nineteenth-century transition. Mohr uses a series of trials that captured the attention of the American people to illustrate key trends. In the Hendrickson trial of the 1850s, for example, what began as a trial to determine whether or not John Hendrickson had poisoned his wife Maria became a sensationalized debate--complete with a multitude of expert medical witnesses--challenging Dr. James Salisbury's ability to isolate the specific chemical used to poison Mrs. Hendrickson. And Mohr goes on to explore a variety of subjects: medical education, forensic toxicology, insanity, medical malpractice, the place of physicians in establishing America social policy, and the role of the AMA in medico-legal matters. For those who wonder about the relationship between the nation's physicians and its legal processes, here is a penetrating look at the origins of our inherited medico-legal system. Above all else, Mohr reminds us that our present system is not an inevitable product of universal forces but an outcome of specific historical circumstances in the United States, and is likely to change.

From Library Journal Understanding the evolution of medical jurisprudence in 19th-century America is essential to current legal thought. This study examines the foundations of medical education and court practice and the development of social policy in post-Revolutionary America. Mohr (history, Univ. of Oregon) focuses on the unsteady relationship between physicians and the courts as he examines issues underlying the institutionalization of the mentally incompetent; the insanity plea in criminal proceedings; the role of toxicology and forensics in medical testimony; and malpractice. Primarily dependent on contemporary 19th-century medical literature, Mohr provides a scholarly and thorough treatment of this topic. Highly recommended for academic libraries.- Mary Hemmings, Univ. of Calgary Law Lib., Alberta Copyright 1993 Reed Business Information, Inc. "Required reading for all who care about law and medicine in the evolution of American society." -- Bulletin of the History of Medicine "Anyone who is involved in medicolegal practice or teaching, or who is seriously interested in understanding the modus operandi and objectives of medical jurisprudence, definitely should read this book." -- Journal of the American Medical Association "Conveys thoroughly the historical foundation upon which the current debates concerning national health care rest." -- Harvard Law "Mohr's thesis is elegant and complex. He offers anecdotes, observations, and insights that could only come from a deep familiarity with the nineteenth-century medical and legal world." -- Journal of the History of Medicine "Mohr's work is convincing, thorough, and readable -- the triple crown of able scholarship." -- Journal of the Early Republic About the Author About the Author: James C. Mohr is Professor and Chair of the Department of History at the University of Oregon. He has written several books on nineteenth-century social and political developments, including *Abortion in America*. He has held Rockefeller-Ford, NEH, and Guggenheim fellowships and was nominated for a Pulitzer Prize.