



Perspective of Medical Jurisprudence

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Abstract

Medical jurisprudence integrates the study of medicine with the law. It makes sure that medical procedures are carried out in compliance with moral and legal requirements and provide vital proof and professional judgments in court proceedings. Medical jurisprudence helps to uphold the rule of law and preserve individual rights by bridging the gap between medicine and the law.

Keywords: Perspective, moral, Medicine, law.

INTRODUCTION

The use of medical expertise in the legal system to uphold justice in both civil and criminal matters is known as medical jurisprudence. It outlines the fundamental legal requirements that a medical professional must adhere to. It is the area of science and medicine that deals with the study and application of medical and scientific knowledge to legal issues, such as those that arise in inquests, and to the practice of law. Additionally, studying jurisprudence can aid medical professionals in refining their procedures and defining the goals that unite law and medicine. It is crucial to understand the relevance of the evidence in order to convict a likely perpetrator. Thus, it became apparent that scientific concepts were needed [1].

The area of medicine that deals with the application of medical knowledge to legal issues is known as medical jurisprudence, often known as forensic medicine or legal medicine. It focuses on the legal facets of medical practice, such as determining the cause of death, evaluating injuries, medical malpractice, and problems with mental health and capacity. It involves the junction of medicine and law [2].

By offering expert testimony and evidence in court cases, medical jurisprudence plays a significant part in the justice system. It gives crucial information for criminal investigations and aids in ascertaining the cause and manner of death in cases of suspicious or inexplicable deaths. In situations of assault or abuse, it also helps in determining the severity and type of injuries [3].

Medical law also addresses additional disciplines like toxicology, clinical forensic medicine, and psychiatry in addition to forensic pathology. In cases of drug overdose or poisoning, toxicology—the study of how drugs, chemicals, and other substances affect the human body—is crucial. Clinical forensic medicine examines and records injuries in cases of assault or sexual abuse so that it can be used as evidence in court. Psychiatry is involved in evaluating the mental capability and state of those who are parties to legal proceedings, such as determining a defendant's sanity or their ability to stand trial [4].

Medical ethics and professional behavior are other topics covered by medical jurisprudence. It offers rules and criteria so that medical professionals can make sure they follow moral standards and legal obligations when practicing. Additionally, it covers subjects like patient rights, confidentiality, and informed consent [5].

In general, medical jurisprudence is a multidisciplinary profession that blends legal theory with medical expertise to produce expert testimony and evidence in court cases. It ensures that medical procedures are carried out in compliance with legal and ethical norms and plays a crucial role in the administration of justice [6].

As this area expanded, the medical professional or doctor gained tremendous authority because they were now playing a crucial role by providing an expert opinion in the instances. But great responsibility came along with this authority. A few examples are the doctor-patient relationship, medical malpractice, ethical behavior, and professional misconduct [7].

Despite being a very old profession, medical jurisprudence is constantly evolving as a result of technological advancements and changes to the legal system. One must comprehend how this field actually came into being in order to fully comprehend its genuine significance [8].

The study and application of scientific and medical knowledge to legal issues, such as inquests, and the practice of law. These two areas have historically been interdependent because modern medicine is a legal invention, governed by the state, and medicolegal disputes involving death, rape, paternity, etc. require a medical practitioner to submit evidence and stand as an expert witness. In the more specialized discipline of forensic medicine, which also encompasses forensic pathology, medical evidence (samples) are collected and analyzed to create factual data that can be used in court [9].

A wide range of medical, legal, ethical, and human rights issues as well as individual and human rights are all addressed in medical jurisprudence. Physicians are required to act in the patients' best interests, and they risk legal repercussions if they don't. On the other hand, if a patient poses a risk to others, a doctor may be compelled to act in their best interest. Inaction could result in legal activity being taken against the doctor. States have been known to urge doctors to torture people or to assess and determine who can withstand torture. In these situations, doctors must decide whether to defy the law, even at the cost of their own safety. Physicians evaluate patients' levels of impairment and their level of injury. As a result, courts can assess damages and make awards [10]. They could also be asked to judge an accused person's mental state and suitability for trial. They might also decide if someone is of sound mind and able to enter into a legally binding contract with another party. In cases where the reason or timing of death is unclear, they must additionally conduct an autopsy [11]. Questions regarding the moral and legal obligations of doctors are part of medical jurisprudence, as are those that have an impact on civil rights. Numerous topics fall under the second heading, such as: issues involving minors' capacity to make decisions regarding their own health; issues involving their legal fitness or safety to operate a motor vehicle, operate an aircraft, use scuba equipment, engage in particular sports or enter certain professions. There are a lot of different things that fall under the third heading, such as: certification of death or else the evaluation of potential causes of death; assessment of illness or injuries that may be work-related or otherwise compensable; and assessment of minor injuries that may be related to neglect or abuse. But this is the more limited—yet more widely accepted—definition of forensic medicine [12].

A brief history of medical law

The *Materia Medica* contains information that can be used to study the history of medical law, which dates back to 4000–3000 BC. Imhotep, Egypt's chief justice and personal physician to the pharaoh (about 2300 BC), is regarded as the originator of medical-legal expertise [13].

While in India, the *Charaka Samhita* (about 7th century BC) provided regulations pertaining to the ethics, responsibilities, privileges, etc. that a doctor was required to uphold. A number of other writings, including *Manusmriti*, *Sushruta Samhita*, *Yajnavalkya Smriti*, etc., also had a significant impact on preserving and governing the medical profession [14].

The most crucial piece of equipment in medical-legal practice is an autopsy. Dr. Edward Bulkley was the first to conduct a medico-legal autopsy in India in the 18th century [11].

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