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The Role of Science in Law

Robin Feldman

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The Role of Science in Law Robin Feldman
The allure of science has always captivated members of the legal profession. Its siren's song offers a tune of perfection and the promise of endowing law with the respect and deference from society that lawyers crave. Both the bench and the bar continually look to science to rescue them from the discomfort of difficult legal decisions, and are frequently disappointed with the results.

While most authors frame problems at the intersection of law and science in terms of how rapidly scientific information changes and how frequently the legal system distorts science, this book argues that problems at the intersection of law and science flow not from the changing nature of science, but from the changing nature of law. With this in mind, the book uses examples from doctrines related to abortion, gene patenting, copyright, environmental regulation, antitrust law, the insanity defense, and other doctrines to explore the nature of law and to suggest approaches for making science work more effectively within the domain of law.

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