

ORIGINAL CONTRIBUTIONS

THE LAW AND THE DOCTOR.*

BY WILLIAM RENWICK RIDDELL, LL.D., Etc.

Justice of the Supreme Court of Ontario.

IN accepting with much pleasure, as I did, the invitation of your president to address your Academy again, I requested information as to the matter with which my address should deal; and I have been furnished with a list of subjects upon which some members desire me to speak.

The subjects have a familiar ring; I have met them time and again; but they are of sempiternal interest to the medical profession, and deserve respectful treatment.

Many difficulties disappear if, leaving the separate fact, the superficial, we seek after the principle, the essential. That the medical men may understand, or at least may rightly appreciate, the rules of law, he must consider the basis of law, not along the individual dictate—(were it not that I might be misunderstood I would say “prescription”).

Law and medicine rest upon wholly different bases, and should, and in the nature of things must.

Medicine—I mean true scientific medicine—endeavors by all honest means to discover the workings of nature. Control over nature she has none, and can have none. Whether inherent in the very essence of things, as the pantheist thinks, or implanted therein by an Almighty God, as the Christian holds—whether “it must needs have been so,” or the Supreme says, “I willed it to be so”—there is a system, a manner of working, a result following a cause, inexorable, certain, inevitable.¹ It is upon that philosophy that all Natural Science is founded, and if that foundation fail, chaos is come again. No man can change the sequence of cause and effect in nature. He may indeed remove obstacles against the working of some cause or remove the cause itself, or add or substitute other causes; but he cannot himself make a cause operate differently from the rigid rule laid down for it by the nature of things or the Creator.

The rules of cause and effect in nature are generally called the “laws of nature”; and it is to some extent at least due to this terminology that medical men are often led astray in their conception of the law of the land—the rules governing in legal matters.

* An address before the Academy of Medicine, Toronto, November 7th, 1916.