

PSYCHIATRY

Expert Witness Panel

► WIPING OUT the legal system of calling doctors as expert witnesses to testify for or against a man being tried for a crime is urged by psychiatrist Dr. Gregory Zilboorg in "The Psychology of the Criminal Act and Punishment." (See SNL, May 22, p. 332.)

Under the present expert witness plan, Dr. Zilboorg says, psychiatrists are being used as "baseball bats" to flay the opposing counsel in a fight-to-the-finish attempt to defeat the other side.

In the heat of the battle, the defendant himself and the condition of his mind are all but forgotten. The psychiatrist, under grilling cross-examination, is subjected to the worst kind of humiliation, especially if the trial happens to attract public attention and arouse public opinion.

Instead of witnesses for either side, Dr. Zilboorg proposes that the American Psychiatric Association should formulate its own moral code and should establish definite scientific medical standards that the doctor must attain in order to be qualified as a psychiatric expert for the court. The Association would then maintain a list of its members so qualified and would furnish it to the courts.

For any particular trial, a panel would be made up of three psychiatrists from this list to advise the court. Lawyers for both sides would be permitted to take part in the selection of the panel, just as they do in making up a jury, by challenging any particular psychiatrist until three experts were chosen, sworn in and put to work.

The psychiatric expert would be required by the Psychiatric Association to confine his testimony to his medical knowledge and would be forbidden to give his opinion on the legal "insanity" or "responsibility" of the accused.

These are purely moral or legal questions and are not within the professional knowledge of the expert, Dr. Zilboorg says.

Part of the friction between lawyers and doctors is due to the very different emphasis of their whole training, he points out. The lawyer learns to seek exact definitions and insists on getting them from his expert witness. The doctor learns to qualify everything he says. The lawyer wants to fit everything into neat categories. The doctor learns that each living person is distinct and different from every other and that the same rules do not apply to all men. The lawyer, and the judge, focus their attention on the criminal act, and they are trained to see the law as intended to punish or revenge such acts. The doctor looks, not at the act, but at the person who commits it.

"I sometimes think how wonderful the effect on legal education would be to have more human contact between the future lawyer and those with whom he will have to deal later," Dr. Zilboorg said.

"What would happen, for instance, if young law students included in their studies visits to jails and prisons, and served as prison guards for a while, the way medical students serve as clerks in hospitals during their student days; if the young law student were required to attend so many executions, as medical students are required to attend and report on so many autopsies; if the law student got some authentic case histories from various prisoners and compared them with their court and probation-officer records, in the same manner as medical students and interns are required to take case histories and examine patients and then compare the data thus obtained with the hospital records?"

Science News Letter, May 29, 1954

Dr. Weiss said that the powder vaccine was effective whether it was made from virulent or non-virulent strains of the germ. This shows that the protective effect is not related to factors usually associated with virulence, such as the growth pattern of the bacilli, and that an extract from the germ, as well as the whole germ, can elicit the protection immediately.

The scientists pointed out that the acquired resistance produced by the powder vaccine could not completely prevent the development of disease from a second invasion of virulent organisms, but "only retarded its course." The vaccine, still experimental, has not been tried on humans.

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MEDICINE

Double Drug for TB

► AN ANTI-TUBERCULOSIS vaccine from powdered dead germs and a double drug combination for eradicating the germs from the body were announced at the meeting of the National Tuberculosis Association in Atlantic City.

Eradicating TB germs, so they no longer exist in the body instead of just being stopped from growing and multiplying, is something new. It has been accomplished in animals by combining the drug, isoniazid, now used with pyrazinamide.

However, there have been signs of liver damage from the combination, so the study is being continued to determine whether it will be safe to give the two drugs to humans.

This study, which is under the direction of Dr. Walsh McDermott of Cornell University Medical College, New York, is being

aided by a grant from the National Tuberculosis Association.

The dead germ powder vaccine was made by Drs. David W. Weiss and Rene J. Dubos of the Rockefeller Institute for Medical Research, New York. They made it by killing tuberculosis germs with carbolic acid, dehydrating them and then grinding them into a powder.

Tested on mice, the vaccine was found to give as good protection against tuberculosis as BCG vaccine, but the immunity from the powdered dead germ vaccine did not last as long.

BCG, or Bacillus of Calmette and Guerin, a bovine strain of tubercle bacillus which has lost its virulence, is the best known of the preparations used to produce artificial immunity to tuberculosis, but it is not considered a perfect vaccine.