Medicine and Law are routinely conceived of as distinct spheres of knowledge. They are also, of course, routinely acknowledged as interacting together. For example, law regulates many aspects of medical activity, and medical innovations stimulate legal evolution. But even in light of such acknowledgements, medicine and law remain conceptually distinct. This presentation proposes an alternative conception of the relationship between law and medicine, one in which law produces medicine, and medicine produces law. This productive activity, the presentation argues, takes place in the realm of practical argumentation—the realm of rhetoric (C. Perelman). The presentation outlines a theory of practical argumentation, as well as its relevance to medical and legal practice and their co-productive relationship. The implications for bioethical theory and practice are also discussed.

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