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Surgeons in the courtroom: Forensic expertise and local power at Paris and London, 1760–1790

FOR ONE WHO IS INTERESTED IN the construction of surgical knowledge in the late eighteenth century, the study of capitals such as Paris and London is particularly relevant. In these two cities at the heart of Empires, under the close scrutiny of the Crowns, tensions between aspirations to universality and local practices were continuously renewed. Such a situation is particularly noticeable in legal practices. In the courtroom, surgeons’ expertise was required for criminal cases in the French and the English legal systems. However the legal dispositions had lead to quite different practice of legal medicine in France and England. Centres of power and knowledge, the capitals promoted an expertise which trespassed the boundaries of the courts’ competence: these important printing centres gave a particular importance to medico-legal controversies and treatises. However, closer scrutiny to legal practices in court and controversies which took place helps assessing the construction of surgeons’ authority within town, between monarchical power, corporate competence and local authority. In our paper, we would like to contrast two criminal court records between 1760 and 1790, that is the Chambre criminelle du Châtelet and the Old Bailey Court. From reports given by surgeons in the courtroom, we will assess how local and royal power on the one hand, and local and universal knowledge on the other are articulated. We will show how these records help mapping the local power exerted by surgeons within the city. We will then discuss how in very different legal systems surgeons’ opinions lead into the constitution of the medico-legal discipline.

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