

References to Epicurus' Attitude Toward The "Place of the Sciences And Liberal Arts"

Post by "Cassius" of May 15, 2020 at 2:25 PM

In regard to expert testimony in court, here is a summary as to the current state of federal law, applying the well known "Daubert" case and criteria:

<https://www.expertinstitute.com/resources/insi...pert-witnesses/>

These are all "threshold" issues on which the judge has to pass before the expert is even allowed to testify at all to the jury, and I think there is a strong analogy here that applies to Epicurus' view of what kind of evidence should be considered. Then as a second step there are going to be issues about what happens if the evidence does meet this criteria, but seems to conflict with other evidence (presumably evidence of the senses), and how we then choose to weigh and balance which to believe. Because of course "admissible" does not mean that the jury has to believe and follow the testimony of the expert.

Rule 702 - Testimony By Expert Witnesses

[Rule 702](#) is arguably the crux of Article VII, as it guides the court's analysis in determining the admissibility of expert testimony. It states that an expert's opinion is admissible if:

1. the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue
2. the testimony is based on sufficient facts or data
3. **the testimony is the product of reliable principles and methods**
4. the expert has reliably applied the principles and methods to the facts of the case

The overarching aim of Rule 702 is to establish the relevance and reliability of the expert's opinion. Rule 702 was amended in response to the seminal Supreme Court decision, [Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 \(1993\)](#), which outlines a non-exhaustive list of factors for the courts to consider when determining the expert testimony admissibility.