

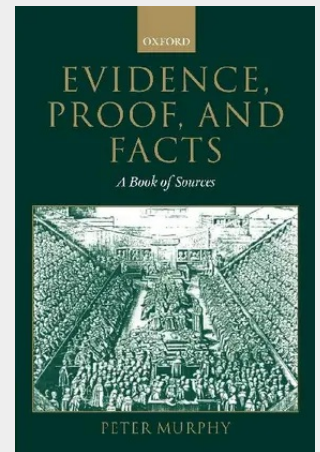
Murphy

Evidence, Proof, and Facts

A Book of Sources

Evidence, Proof, and Facts is a source book designed to bring together some of the most important primary and secondary materials which underlie the 'New Evidence Scholarship'. While the law of evidence has traditionally dominated jurisprudential treatment of the subject, evidence is in truth a multi-disciplinary subject, comprising fundamental issues in the fields of logic, probability theory, epistemology, and psychology. Among the issues dealt with are: the rationalist epistemology of the use of evidence as a tool for the reconstruction of disputed past events; alternative epistemologies of evidence; the meaning of evidence, relevance, probative value, and weight. The editor also explores the issues of: logic and rhetoric in the context of judicial proof; the place of different kinds of probability theory in legal proof; whether legal proof is inherently mathematical or non-mathematical; the meaning of the legal standards of proof; and the role of causation in legal proof. The editor has assembled a collection of jurisprudential material including Thayer and Wigmore, and philosophical material ranging from Aristotle and Plato to Locke, Hume, Bentham, and Mill. The mathematics includes Bayes' Rule, reproduced in its entirety. Among the contemporary writers represented from the New Evidence Scholarship school are Keynes, Schum, Twining, Eggleston, and Cohen. The materials are prefaced with an introductory essay by Professor Murphy which offers an overview of some of the key issues.

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