

## SYMPOSIUM

### UNITED STATES V. BRAWNER

#### PREFACE

This symposium is a series of contributions analyzing the recent case of *United States v. Brawner*, which brought to a close the *Durham* experiment in the District of Columbia. Our contributors, provided with the opinion itself, the briefs of the parties, and amicus briefs, were asked to comment on *Brawner* in light of their experience in the fields of criminal law and psychiatry.

The symposium begins with a short student note developing the history of the insanity defense in the District of Columbia. Professor Henry Weihofen, Professor Emeritus at the University of New Mexico Law School, discusses in his article the major issues raised in the opinion and concentrates on the problem of expert domination in the trial of the insanity defense. Professor R.E. Schulman, of the Menninger Foundation and the University of Kansas Law School, continues the exploration of expert domination with observations from the perspective of one who has wide experience in the field of expert testimony. Professor Richard C. Allen, Director of the Institute of Law, Psychiatry and Criminology at the George Washington University School of Law, examines the extraordinarily comprehensive briefs of the amici curiae. Dr. Daniel D. Pugh, presently at Malcolm Bliss Mental Health Center in St. Louis and formerly on the staff of St. Elizabeths Hospital in the District of Columbia, offers an illuminating description of the actual operation of the insanity defense in the District of Columbia by drawing upon his own experience. Dr. Bernard L. Diamond, Professor of Law and Criminology at the University of California, Berke-

ley, places the entire development of the insanity defense from *Durham* to *Brawner* in its psychiatric context, and offers some observations on what one can expect in the future. Finally, Professor Joseph Goldstein, Walton Hale Hamilton Professor of Law, Science and Social Policy, Yale University, concludes the symposium with a critical analysis of several fundamental concepts and terms used by the court in the *Brawner* opinion.