

Neuroscience and the Law

Prof. Peter Huang & Prof. Dan Kahan
Yale Law School
Fall 2009

Session 2—Neuroscience and Moral Decisionmaking, part 1: The Affirmative Case

Readings (indexed to pagination of course readings):

1. Joshua D. Greene et al., An fMRI Investigation of Emotional Engagement in Moral Judgment, 293 *Science* 2105 (2001)45
2. Joshua D. Greene & Jonathan Haidt, How (and Where) Does Moral Judgment Work?, 6 *Trends Cognitive Sci.* 517 (2002)49
3. Joshua Greene, From Neural ‘Is’ to Moral ‘Ought’: What are the Moral Implications of Neuroscientific Moral Psychology?, 4 *Nature Rev. Neurosci.* 847 (2003)56
4. Joshua Greene, The Secret Joke of Kant's Soul, in *The Neuroscience of Morality: Emotion, Brain Disorders, and Development* (W. Sinnott-Armstrong ed., 2008).....62

(Some) *Questions*:

1. What is the evidence that moral decisionmaking can be explained through neuroimaging? Is it persuasive?
2. How must we understand morality to work—of what must we understand it to consist—in order for this evidence to be relevant? Do you accept those understandings?
3. What sorts of assumptions and evidence does the argument that neuroimaging supports one form or theory of moral reasoning over another make? Do you accept those?