

# Neuroscience and the Law

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**1. Overview.** Neuroscience has made substantial recent advances in identifying regions of the brain associated with different aspects of decisionmaking and behavior. The goal of this seminar is to examine the significance of this research for law. We will progress through a series of topics designed to acquaint us with the basic methods, assumptions, and findings of current research in this area; to familiarize ourselves with existing and developing criticisms of this line of work; and to explore its potential application in a variety of legal and regulatory domains.

**2. Class Sessions & Readings.** We will meet on each of the 14 days scheduled for this seminar. At each session, we will discuss a collection of related readings. The assigned materials—the readings and usually a set of general questions relating to them—will be announced on the course intranet site at least one week in advance of each session. Readings will be uploaded to the intranet site in periodic installments.

**3. Reaction Papers.** Each week ½ the students will be responsible for writing “reaction papers.” The papers should be short—as few as 4 paragraphs, no more than 16. They should present a single idea or argument inspired by the readings. It’s perfectly fine for the idea or argument to be responsive to one of the general questions posed in connection with the readings by the instructors, although it needn’t. It’s also fine for the paper to engage an issue suggested by only a single paper, or an issue collateral to the main thrust of the readings collectively. Papers should *not* merely summarize the readings or any portion of them. **Papers must be posted to the designated section of the course intranet site at least 24 hours in advance of class**, and students are encouraged to read or at least skim all of them (the instructors will read them closely in advance of class). Students may freely exchange reaction-paper assignment weeks, but may not simply defer any assigned reaction paper to a later week without trading places. **The penalty for failing to write one assigned reaction paper** (either in the week it is assigned or in a later week after trading places with another student) **will be the completion of a research assignment and paper designed by the instructors. The penalty for failing to write two assigned reaction papers will be receipt of a failing grade for the course.**

**4. Grading and SAW Credit.** Grades will be based entirely on class participation and reaction papers. No final paper will be assigned. However, the instructors will entertain proposals for separate papers, which if suitable will be supervised for 1-3 additional SAW credits.

**5. Provisional Topic List.** A provisional list of topics is attached.

## **Provisional Topics**

1. Introduction: Neurimaging and the Insanity Defense
2. Neuroscience and Moral Reasoning, pt 1: The Affirmative Case
3. Neuroscience and Moral Reasoning, pt 2: Criticisms and Rejoinders
4. Criminal Law and Punishment
5. Neural Lie Detection
6. Neural Proof of Facts
7. Judicial Decisionmaking
8. Neuroeconomics & the Law
9. Neurofinance
10. Neuroregulation
11. Neuropaternalism
12. Neurorobotics
13. Neuroscience and Discrimination
14. Neuroscience and Social Comparisons
15. Neuroscience and Wellbeing