



Responsible Moral Agency in the Age of Neuroscience

Lecture by Michael S. Moore and comment by Stephen J. Morse

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Research Group on Criminal Justice and Mental Health

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Abstract

Contemporary neuroscience has reinforced long-standing challenges to the criminal law's assumption that the offenders it punishes deserve to be punished and that their punishment accordingly should be in proportion to such desert. Academic psychological approaches have long challenged such desert-based punishment because of alleged deficiencies in the common sense psychology presupposed by the criminal law, a psychology according to which actors are viewed as free, rational, and autonomous beings who are sufficiently in control of their environment to be responsible for the harms that they cause or fail to prevent. Contemporary neuroscience, on some views of it, has produced data showing that we are not free, that we do not have sufficient knowledge of ourselves to be in control of what we do, that we do not cause what we think we cause, and that the very idea of there being a unified self who can be a blamable agent is an illusion. Doubts are raised about each of these neuroscience-based challenges.

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