



Zürich, 3. Oktober 2013

Seminar: Recht und Neurowissenschaften/Law and Neuroscience

The seminar addresses a crucial topic of the contemporary reflection on the foundations of law: The impact of neuroscience on the law. Neuroscientific research, cognitive and brain sciences have prospered much in recent years and are widely regarded as crucial research areas of today's science. They are expected to provide revolutionary insights in the makeup of the human mind, challenging and putting into question traditionally held beliefs. These debates have an increasing impact on the understanding of the law that is of central importance for the understanding of today's legal culture.

Issues like free will and responsibility and the discussions surrounding them testify to that. The challenges are indeed considerable in this area but do not exhaust the questions to be asked. Other issues concern the forensic use of neuroscience, e.g. memory enhancement of witnesses or new forms of lie-detection based on neuro-imaging techniques.

Other areas of research investigate the material content of legal systems. Concrete questions in this area range from intuitions of justice to the evaluative parameters of permissible killings.

The relation of neuroscience and law raises profound theoretical problems as well, not the least as to the limits of a naturalistic conception of the law.

The seminar will introduce main areas of current research, discuss core theoretical problems and develop perspectives for the understanding of the fundamentals of law.

The seminar will be co-taught with Prof. Dr. John Mikhail, Georgetown University Law Center, Washington, D.C.

Possible topics include:

1. What is the human mind? Theories of the Human Mind
2. How to Understand Moral Judgment? Experimental Ethics and Beyond
3. Mentalist Ethics and Legal Theory
4. Universal Moral Grammar
5. Permissible Killings and Double Effect
7. Mentalism and Human Rights



6. Emotivism I: Ethics
7. Emotivism II: Law
8. The Nativism-Debate
9. The Poverty-of-Stimulus Argument
10. Heuristics, Biases, Framing
11. The Challenge of Determinism
12. Contemporary Research in Determinism and Free Will
13. Method and Theory Construction in Neuroscience – Lessons for the Law
14. Forensic Use: Lie Detection
15. Forensic Use II: Other areas (especially Guilt, Prediction of Behaviour, Witnesses)
16. Evolution and the Law
17. Facts about the Mind and Brain and their Relevance for the Law
18. Naturalism, Ethics and Law

In case of interest, please send a short letter of motivation to Julia Stern with three ranked topics of the list above: julia.stern@rwi.uzh.ch

The preparatory meeting will be held on November 8, 2013 at 14:00 in the room RAI E 125.

Prof. Dr. iur. Matthias Mahlmann