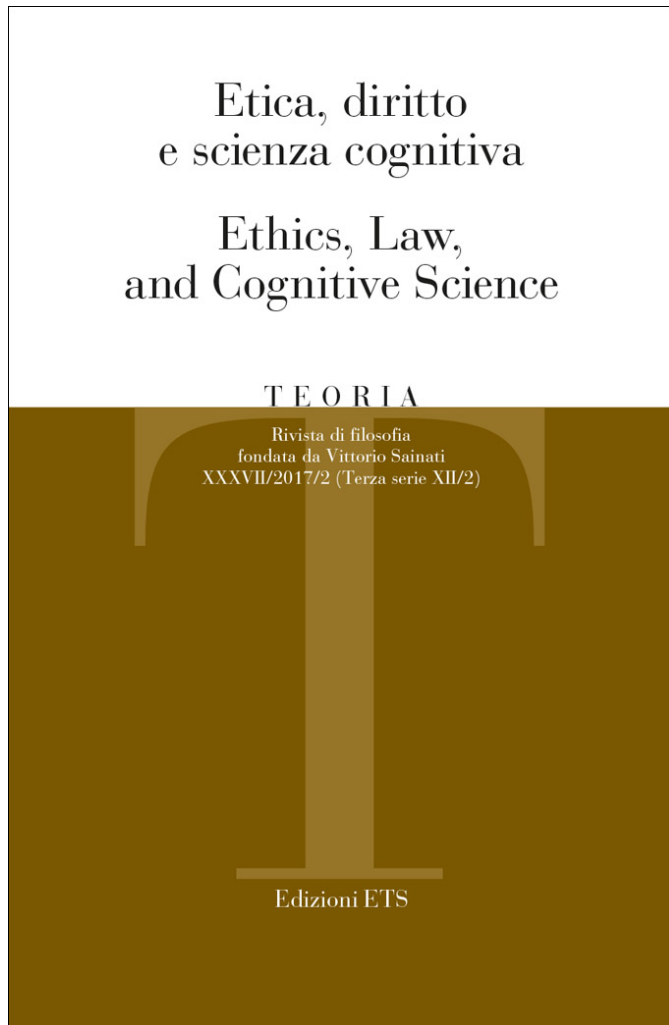


There are no translations available.



Questo fascicolo di «Teoria» si propone di prendere in esame le ricadute della scienza cognitiva dell'etica su una varietà di temi di metaetica, etica normativa, etica applicata e filosofia del diritto. Sono state dunque indagate criticamente le scoperte della neuroscienza cognitiva concernenti la responsabilità morale e legale.

*The purpose of this issue of «Teoria» is to explore the relevance of the cognitive science of morality for a variety of topics in metaethics, normative ethics, applied ethics, and philosophy of law. In particular articles are concerned with how recent cognitive science findings affect our practices of attributing moral and legal responsibility.*

Scritti di: Mario De Caro, Massimo Marraffa, Daniel C. Dennett, Felipe De Brigard, Lacey J. Davidson, Benedetta Giovanola, Rossella Guerini, Andrea Lavazza, Uwe Peters, Simone Pollo, Massimo Reichlin, Maria Grazia Rossi, Daniela Leone, Sarah Bigi, Elisabetta Sirgiovanni, Veronica Neri.

- [Premise / Premessa](#)

Premise – both in English and Italian – to this issue.

Open Access PDF. Abstract not available.

Mario De Caro, Massimo Marraffa

pp. 5-20

- [What Neuroscience Will Tell Us About Moral Responsibility](#)

The essay is a reflection on determinism, moral and legal responsibility and punishment from the perspective of neuroscience. The author argues that compatibilist free will gives us everything we need to be morally responsible and allows us to maintain a moderately retributivist line of thinking.

Daniel C. Dennett

pp. 21-24

- [Responsibility and the Relevance of Alternative Future Possibilities](#)

In the past decade, philosophical and psychological research on people's beliefs about free will and responsibility has skyrocketed. For the most part, these vignette-based studies have exclusively focused on participants' judgments of the causal history of the events leading up to an agent's action and considerations about what the agent could have done differently in the past. However, recent evidence suggests that, when judging whether or not an individual is responsible for a certain action – even in concrete, emotionally laden and fully deterministic scenarios – considerations about alternative future possibilities may become relevant. This paper reviews this evidence and suggests a way of interpreting the nature of these effects as well as some consequences for experimental philosophy and psychology of free will and responsibility going forward.

Felipe De Brigard

pp. 27-36

- [Category Matters: The Interlocking Epistemic and Moral Costs of Implicit Bias](#)

In this paper I reject the claim – made both by Tamar Szabo Gendler in *On the Epistemic Costs of Implicit Bias* and Jennifer Saul in *Scepticism and Implicit Bias* – that in order to be epistemically and morally responsible, social categories should not influence our evaluations of individuals or subsequent actions. I will provide evidence against the claim by denying its empirical plausibility, emphasizing the epistemic and moral benefits that may come from social categories, and reconceptualizing the inclusion of base-rate information. Throughout the paper I will emphasize the unique interlocking of epistemic and moral considerations that are relevant to implicit bias, bias mitigation, and responsibility. It is my hope that this analysis lays the groundwork for an account of the right ways social categories can affect our judgments, i.e. the ways in which such influence may improve our epistemic and moral situations rather than degrade them.

Lacey J. Davidson

pp. 37-51

- [Social Justice, Individualism, and Cooperation: Integrating Political Philosophy and Cognitive Sciences](#)

The authors explore the contribution that this literature can offer to the field of political philosophy. In particular, the authors argue that, in order to make the reflection on social justice more reliable and effective, political philosophers must take into account the anthropological model emerging from what cognitive sciences tell us about self-assertiveness, egoism, competition, pro-sociality, cooperation and altruism.

Mario De Caro, Bendetta Giovanola

pp. 53-63

- [Lockean Persons, Self-Narratives, and Eudaimonia](#)

In this article we explore the ethical import of a naturalistic form of narrative constructivism that distances itself from both the non-naturalistic and antirealist strands in theorizing on the self. Our criticism builds on William James' theory of the self. Against this Jamesian backdrop, the claim that we constitute ourselves as morally responsible agents (as "Lockean persons") by forming and using autobiographical narratives is combined with the realist claim that the narrative self is not an idle wheel but a layer of personality that serves as a causal center of gravity in the history of the human psychobiological system. This alliance between narrative

constructivism and self-realism takes shape in the context of a tradition of thought that views the synthesis of the various strata of personality as the highest developmental point of the selfing process – a viewpoint that aligns with an ethic that hinges on the idea of eudaimonia: the discovery and actualization of our unique potentials and talents.

Rossella Guerini, Massimo Marraffa

pp. 65-80

- [Neurolaw and Punishment: a Naturalistic and Humanitarian View, and its Overlooked Perils](#)

Neurolaw is the approach that attempts to apply recent progress in neuroscience to the classical conceptions of law, often with the aim of pushing legal institutions (especially in criminal law) to be more in line with scientific knowledge. It is essentially a process of naturalization of the law, which also applies to punishment, its aims, its methods of implementation and its justification.

A relevant line of naturalization of criminal law relies on developments in neuroscience so as to try to prove that (if not always, at least most times) our actions are not free according to the classic definition of freedom – where the agent is capable of knowingly, voluntarily and consciously undertaking a course of action by choosing between alternatives. According to the proponents of this view, one cannot but follow the logical sequence deriving from the experimental data, which leads to the unavoidable pragmatic conclusion of choosing a consequentialistic kind of law and punishment.

Consequentialist punishment is deemed to be more humane because it is not afflictive and is only targeted to protect society. But the fact that the charged person is regarded as more mad than bad, so to speak, turns her into a sort of “broken machine”, with the risk of legitimizing preventive treatments or ones of indefinite duration. The objections to this approach are therefore related to the gaps of knowledge we still have, to the risks of “political” abuse, and to

the Strawsonian line of thought for which we cannot treat our fellow human beings as broken machines to be repaired, depriving them of their nature of free and rational agents (except in exceptional and rare cases). I suggest a more nuanced assessment of these possible developments and defend a moderate form of retributivism.

Andrea Lavazza

pp. 81-97

- [On the Automaticity and Ethics of Belief](#)

Recently, philosophers have appealed to empirical studies to argue that whenever we think about a proposition  $p$ , we automatically believe  $p$ . Levy and Mandelbaum have gone further and claimed that the automaticity of believing has implications for the ethics of belief in that it creates epistemic obligations for those who know about their automatic belief acquisition. I use theoretical considerations and psychological findings to raise doubts about the empirical case for the view that we automatically believe what we think. Furthermore, I contend that even if we set these doubts aside, Levy and Mandelbaum's argument to the effect that the automaticity of believing creates epistemic obligations remains unconvincing.

Uwe Peters

pp. 99-114

- [Biology, Ethics and Moral Reflection](#)

In recent years moral philosophers have increasingly paid attention to the development of scientific researches about the functioning of moral mind. Placed into the framework of Darwinian evolutionary theory the cognitive science of morality aims at discovering the core mechanisms of the moral faculties and the evolutionary path that produced them. The intertwining of cognitive science and philosophical ethics has led to a new understanding of metaethics. Embedding cognitive science in such an investigation switches the focus from the more traditional analysis of the language of morals to the functioning of moral mind. Whereas the contribution of such empirical researches to metaethics is clear and considerable, the role of cognitive science with regard to normative ethics is much more difficult and obscure. Even if the fact/value separation ought to be intended in a soft and non dogmatic way, the normative “use” of empirical findings about human moral minds is a puzzling and slippery task. Rather than being a direct source of norms and values, the understanding of moral psychology carried out by cognitive science contributes to the task of moral reflection insofar as it is a form of self-understanding. Part of the practice of moral reflection – that is critically weighing up and evaluating one’s own habits, attitudes and moral responses – is the understanding of one’s own nature, both as a specific individual and as a member of the human species. My aim will be to discuss whether the cognitive science of morality could be regarded as a modern answer to the ancient exhortation “know thyself” and, therefore, whether advancements in such science could lead to moral progress.

Simone Pollo

pp. 115-126

- [Emotions and Morality: is Cognitive Science a Recipe for Ethical Relativism?](#)

Discussing Jesse Prinz’s views on metaethics, the author argues (1) that, as far as epistemic emotionism is concerned, this account does not demonstrate that the right order of causation proceed in all cases from emotions to judgments; does not disprove the possibility of dispassionate judgments; has no persuasive explanation of the distinction between moral and conventional rules; cannot account for autistic morality; and 2) that, as far as metaphysical emotionism is concerned, this account offers a much too deflationary account of moral disagreement. The latter can be best understood within an objectivistic account of the facts

(including pro-attitudes such as emotions and sentiments) that provide the best reasons for action.

Massimo Reichlin

pp. 127-138

- [The Ethical Convenience of Non-Neutrality in Medical Encounters: Argumentative Instruments for Healthcare Providers](#)

Many scholars have shown the relevance of communication as an instrument of care by arguing that the quality of the doctor-patient relationship – also based on the quality of verbal communication – affects the engagement and outcomes of patients. This understanding of such therapeutic role of communication paves the way to a re-consideration of ethical questions in clinical contexts: if communication is a therapeutic instrument, then healthcare providers need to be able to properly use it. Our main aim in this contribution is to argue that it is possible and desirable to adopt and manage non-neutral communication strategies to safeguard patients' freedom and autonomy in making decisions. More specifically, we use a pragmatic-argumentative model of verbal communication to deal with the topic of neutrality. Analyzing a case study from the context of Assisted Reproductive Technology (ART), we underline the highly ethical relevance of this medical context and stress the importance of an appropriate use of argumentative and communicative strategies to protect patients' values and decisions.

Maria Grazia Rossi, Daniela Leone, Sarah Bigi

pp. 139-157



- [Responsibility and Control in a Neuroethical Perspective](#)

Folk ethical theories presupposed by prevailing moral theories and current legal systems tend to identify a close link between responsibility and conscious control. They generally claim that we can hold an agent responsible for outcomes of actions over which s/he exercises a certain degree of conscious control. In the last few decades, however, cognitive neuroscience has offered evidence about unconscious control processes and self-deceptive attributions of control, the so-called Frail Control Hypothesis. This hypothesis threatens the common notion of responsibility itself. I will consider possible solutions to the neuroscientific threat and discuss objections to all of them. Then, I will provide some suggestions for building a neuroethical account of responsibility that unifies the benefits of the different solutions but takes their limitations into consideration.

Elisabetta Sirgiovanni

pp. 159-174

- [“Publicity”, Privacy and Social Media. The Role of Ethics Above and Beyond the Law](#)

Nowadays social media play an increasingly important role in the relationship between ethics and the law. They have raised new issues regarding the concepts of both “publicity” (in the etymological sense of “making public”), and privacy. The limits of both the law and of deontology are becoming more and more evident, in this arena of the relations, which are established through the social media. This aspect implies the need for ethical reflection, focusing on the motivation that leads users to convey certain information – in primis the desire for a spectacularization of one’s life – as well as on the possible principles that may help guide informed choices. Among these would appear fundamental a reference to the concept of ‘responsible freedom’, and hence to the possible consequences which may arise as a result of certain choices, consequences both for oneself and other individuals, on social media as well as in our off-line day-to-day lives.

## **Ethics, Law and Cognitive Science**

Written by Mario De Caro, Massimo Marraffa

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Veronica Neri

pp. 175-189