Record Nr.	UNINA9910349549903321
Autore	Schulkin Jay
Titolo	Oliver Wendell Holmes Jr., Pragmatism and Neuroscience / / by Jay Schulkin
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Palgrave Macmillan, , 2019
ISBN	3-030-23100-3
Edizione	[1st ed. 2019.]
Descrizione fisica	1 online resource (358 pages)
Disciplina	347.732634 340.1
Soggetti	Pragmatism
	Political science
	Political philosophy
	Law—Philosophy
	Law
	Philosophy of mind
	Philosophy of Law
	Political Philosophy
	Theories of Law, Philosophy of Law, Legal History
	Philosophy of Mind
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references.
Nota di contenuto	<ol> <li>Introduction 2. Holmes' Critical Experience in War 3.</li> <li>Experience, Inference and Surviving 4. Holmes, Pragmatism and Nature 5. Duty, Surviving, Social Contract 6. Emersonian Sensibilities 7. Bounded Choice, Human Freedom and Problem Solving 8. Naturalizing Decision-Making 9. Ethics, Body Politic, and Neuroscience 10. Neuroscientific Considerations and the Law 11. Conclusion</li> </ol>
Sommario/riassunto	This book explores the cultures of philosophy and the law as they interact with neuroscience and biology, through the perspective of American jurist Oliver Wendell Holmes' Jr., and the pragmatist tradition of John Dewey. Schulkin proposes that human problem solving and the

1.

law are tied to a naturalistic, realistic and an anthropological understanding of the human condition. The situated character of legal reasoning, given its complexity, like reasoning in neuroscience, can be notoriously fallible. Legal and scientific reasoning is to be understood within a broader context in order to emphasize both the continuity and the porous relationship between the two. Some facts of neuroscience fit easily into discussions of human experience and the law. However, it is important not to oversell neuroscience: a meeting of law and neuroscience is unlikely to prove persuasive in the courtroom any time soon. Nevertheless, as knowledge of neuroscience becomes more reliable and more easily accepted by both the larger legislative community and in the wider public, through which neuroscience filters into epistemic and judicial reliability, the two will ultimately find themselves in front of a judge. A pragmatist view of neuroscience will aid and underlie these events.