



This is not to say that *degrees* of freedom are irrelevant to law. Science hasn't killed free will. But it has clarified various factors—social, economic, cultural, and biological in nature—that constrain it.

The existence of constraints very rarely excuses behavior, as when a person in an epileptic fit hits someone. But evidence of brain-based constraints—which can vary from small to large—can be, and indeed have been, relevant in determining the severity of punishment. For example, some jurors in a recent Florida case reported that evidence of abnormal brain functioning warranted a murderer spending his life in prison, instead of being executed.

All behaviors have causes, and all choices are constrained. We need to accept this and adapt. Brain sciences are revealing complex and interconnected pathways by which the information-processing activities of multiple brain regions coalesce to influence human decision making. But this poses an advantage—neither a threat nor a revolutionary transition—to the legal system. In the near term, these complexities are more likely to inform than to utterly transform law's justice-driven efforts to treat people fairly and effectively.

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