

Peer Review

Review of: "Self, Dignity, and the Brain: A Critical Reflection on Psychology, Free Will, and Law"

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1. Independent researcher

I was attracted to reviewing this paper because of its intriguing title and my own interest in affective neuroscience and its contributions to understanding the mind-brain, including the underpinnings of the individual as essentially social. I'm sorry to say that I found the paper disappointing. I think it could be an interesting and helpful paper, but work needs to be done for it to be so.

I found this paper difficult to read. It was never clear to me what the argument is that the author is wanting to make. I am also unclear as to who the intended readership is. The paper lacks sufficient structure, which would assist in creating an argument.

My main concern is that neuroscience and indeed the Law are treated as if they are single disciplines with only one way of understanding their contribution.

Neuroscience has at least two major threads - cognitive and affective. I suggest that affective neuroscience, based on the work of Panksepp, modern hypotheses of the nature of consciousness, based on the work of Solms, and the brain as predictive, based on the work of Friston, would not be described as deterministic. Plus, concepts of interoception and exteroception, based on work by Fotopoulou and Tsakiris, underpin the brain as a social organ. The concept of agency and its brain underpinnings should be considered.

See the Neuropsychoanalysis Association for references and educational resources.

All of the above follows the philosophical concept of dual-aspect monism. This refers to the mind-brain as indivisible.

I think the author needs to cite more studies and what they contribute rather than state conclusions. It is not always clear whether these are the author's own ideas or taken from others' works.

The description of the Law may characterise criminal law, whereas Family Law is not simply focused on cause and effect and is more nuanced with its focus on the child.

I would suggest the author read these more recent developments and consider what they contribute to his arguments. A next draft then requires structuring both in developing the argument and subdividing the text to facilitate understanding for the readership.

Declarations

Potential competing interests: No potential competing interests to declare.