

HOW EVOLVING SOCIAL VALUES HAVE SHAPED (AND RESHAPED) CALIFORNIA CRIMINAL LAW

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INTRODUCTION

A student could learn much about cultural history by studying doctrines of criminal liability. As the United States Supreme Court has observed, the law mirrors evolving societal values. “The doctrines of actus reus, mens rea, insanity, mistake, justification, and duress have historically provided the tools for a constantly shifting adjustment of the tension between the evolving aims of the criminal law and changing religious, moral, philosophical and medical views of the nature of man.”¹

This adjustment has shifted not only individual doctrines, but their collective rationale as well. The California Supreme Court described this

¹ *Powell v. Texas*, 392 U.S. 514, 536 (1968).