In just 37 minutes of deliberation on Jan. 29, a Kansas jury convicted Scott Roeder of first-degree murder for his public, point-blank killing of George Tiller, a Wichita doctor who performed abortions. Roeder's legal team argued that his crime belonged under Kansas' voluntary manslaughter law and thus was not murder per se. Manslaughter usually turns on the question of premeditation; if the perpetrator has time to premeditate the crime, then it is murder. But the Kansas law allows premeditation in manslaughter "upon an unreasonable but honest belief that circumstances existed that justified deadly force."

In the end, the judge ruled that the voluntary manslaughter statute did not apply, holding that the crime did not fit its defined circumstances. This disappointed many radical anti-abortion advocates who thought Roeder's "unreasonable but honest belief" should have been seen as a mitigating circumstance and gained him some leniency.

But what is an "honest belief"? In this kind of situation, it refers to a strongly held thought which a person believes to be correct—indeed they are certain it is correct. The thought in question is often a moral one; it is not just correct but ethically "right." The certainty of that thought's rightness motivates action(s).

How do people attain certainty of an idea's or ethical belief's correctness? Perhaps the certainty comes from external sources. A person may be convinced by someone they respect as authoritative in these matters, like a minister or a doctor, or by someone they wish to please, such as a spouse or friend. In some cases, they may have been persuaded by a debate or rational argument, or even worked out a case through their own analysis and thought.

Dr. Robert A. Burton holds that a factor internal to each person must be considered as well -- it trumps external factors. His neurological analysis of certainty, which he calls the "feeling of knowing," indicates that this feeling constitutes an emotion. It is a primal emotion, or sensation as Burton prefers to call it, such as states of anger or hatred. It arises inside human beings involuntarily, with or without rational motivation or supporting evidence.

Certainty often motivates people to action or influences their decisions. This guidance may be rather innocuous, as Burton indicates in his 2008 book "On Being Certain," like the "gut feeling" that a gambler follows when he puts his money on a particular horse to win the big race. Certainty can also become a driving force, and impel a person into an obsession leading to carrying out a particular act.

It is here where Burton's study provides some insight into the case of Scott Roeder the murderer. Roeder's feeling of certainty that abortion constituted murder led him to shoot Tiller. In a statement filled with anti-abortion rhetoric, he said, "If I didn't do it, the babies were going to die the next day."

The problem with certainty, Burton points out, is not only that it can be wrong, but that in fact it often is.

It turns out that the feeling of certainty actually has no bearing on whether a thought or belief is actually correct. It is not only independent of accuracy, but often can come before a thought is formulated. It is an emotional response rather than one produced by rational consideration. Indeed, rational consideration, even correct rational consideration, often fails to produce a feeling of certainty.

The idea that the primal emotion of certainty, the Kansas law's "honest belief," should be a factor in a criminal trial is a frightening thing. Like other foundational emotions, this feeling should not be an acceptable mitigating factor in murder or any other crime. It is not an acceptable defense to argue, "I was angry, so I shot him." So why should it be O.K. to say, "I was certain (he was wrong), so I shot him?"