

PHIL 260: Ethics; Spring 2016

Professors David O. Brink and Dana Kay Nelkin

Seminar Topic: Blame

Tuesdays, 1-3:50pm; H&SS 7077

Offices: H&SS 8016 (DB); H&SS 8004 (DN)

Office Hours: M1-2pm and by appt. (DB); MF 11am-noon and by appt. (DN)

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This seminar will discuss the nature of blame and the way in which it interacts with other important concepts in ethical theory, moral psychology, and criminal jurisprudence. We will look at whether praise and blame should be treated symmetrically and explore different conceptions of blame and blameworthiness. Which is prior and under what conditions should the blameworthy be blamed? How is blame related to censure and to sanction? How might desert figure in our account of blameworthiness? How are blame and blameworthiness related to reactive attitudes, such as resentment or indignation, and is blame itself a reactive attitude? Blame seems to presuppose responsibility, and excuse seems to cancel blame. What assumptions about responsibility does blame make? How is blame tied to the distinction between attributive responsibility and accountability? How is blame related to punishment, and what assumptions about the justification of punishment are necessary to see punishment as a species of blame or as involving blame? Blame seems tied to culpability, but there are at least two different senses of culpability at work in the criminal law -- a narrower sense tied to elemental *mens rea* and a broader sense signaling accountability. What kinds of blame track these two kinds of culpability? Blame seems appropriate for wrongdoing where the rule of law is just, but how might blame or blameworthiness be affected by facts of structural injustice or significant inequalities of opportunity? Is it appropriate to blame people for factors that were outside their control? Is the person who is negligent and causes harm to another more blameworthy than the person who is comparably negligent but luckily avoids causing harm? Luck realists say Yes, whereas luck skeptics say No. Is blame equally sensitive to different kinds of luck, whether constitutive or resultant? Forgiveness seems to involve the suspension of blame though not blameworthiness. What exactly is it to forgive, and under what conditions is forgiveness appropriate? Who has standing to forgive? Restorative justice aims at reconciliation of some sort. How is reconciliation related to forgiveness, and must restorative justice forswear blame? Even if someone is blameworthy, it might not be appropriate to blame her, and this may vary with the position of the person blaming. Even if an adulterer is blameworthy and could appropriately be blamed by some people, it might be inappropriate, because hypocritical, for other adulterers to blame her. Who has standing to blame, and what are the ethics of blame?

FORMAT

Seminar meetings will be a mix of presentations by us (DB, DN, or both) and students. The presenter will structure discussion of the readings and raise issues for discussion. Though we don't expect everyone to be equally chatty, some significant seminar participation is an expectation of every seminar member.

REQUIREMENTS AND GRADES

Each enrolled student is expected to make a seminar presentation and write two papers for the seminar -- a medium length paper, approximately 8-10 pages, and a longer paper, at least 15 pages long. Student presenters will share an outline with us and get our feedback in advance of their presentations. The shorter paper will be due Friday, April 29 (the end of fifth week), and the longer paper will be due Monday, June 6 (the beginning of exam week).

As percentages of the overall seminar grade, the presentation and participation are each worth 20%, the shorter paper is worth 25%, and the longer paper is worth 35%.

READINGS

The reading assignments are listed on the Syllabus. PDFs of all the required readings will be posted on the seminar website, so there is no need to purchase books.

WEBSITE

All required readings, handouts, and other seminar materials will be available on the course website at TritonED (<https://ted.ucsd.edu>). Students enrolled in the seminar should have automatic access to the website. You will be expected to have access to print or electronic versions of these handouts during class. You should check periodically to make sure that you have current versions of all the handouts (which are revised or updated periodically).