

PHIL 260: Ethics; Spring 2016
Professors David O. Brink and Dana Kay Nelkin
Seminar Topic: Blame
Syllabus

Here are the topics and readings for the seminar. Required readings will be made available electronically on the seminar website and are preceded by '(A)'. Do the required readings in the order in which they are listed. Recommended readings are preceded by '(B)'. Full references can be found on the Select Bibliography.

0. GENERAL

- (B) Michael Moore, *Placing Blame: A Theory of the Criminal Law*; Gary Watson, *Agency and Answerability*; T.M. Scanlon, *Moral Dimensions: Permissibility, Meaning, and Blame*; and *Blame: Its Nature and Norms*, ed. D.J. Coates and N. Tognazzini.

1. INTRODUCTION: PRAISE, BLAME, AND BLAMEWORTHINESS (March 29) [DB/DN]

- (A) Justin Coates and Neal Tognazzini, "Blame" <<http://plato.stanford.edu/entries/blame>> and Dana Nelkin, "Blame."
- (B) Angela Smith, "Moral Blame and Moral Protest" in *Blame*, ed. Coates and Tognazzini; Christopher Bennett, "The Expressive Function of Blame" in *Blame*, ed. Coates and Tognazzini; Michael McKenna, "Directed Blame and Conversation" in *Blame*, ed. Coates and Tognazzini. Derk Pereboom, "Free Will Skepticism, Blame, and Obligation" in *Blame*, ed. Coates and Tognazzini.

2. BLAME AND THE REACTIVE ATTITUDES (April 5) [DB/DN]

- (A) P.F. Strawson, "Freedom and Resentment;" Gary Watson, "Responsibility and the Limits of Evil: Variations on a Strawsonian Theme;" and David O. Brink and Dana K. Nelkin, "Fairness and the Architecture of Responsibility."
- (B) R. Jay Wallace, *Responsibility and the Moral Sentiments*; Patrick Todd, "Strawson, Moral Responsibility, and the Order of Explanation."

3. BLAME, RESPONSIBILITY, AND EXCUSE (April 12) [DB/DN]

- (A) Gary Watson, "Two Faces of Responsibility;" T.M. Scanlon, *Moral Dimensions*, ch. 4; and Brink and Nelkin, "Fairness and the Architecture of Responsibility."
- (b) Angela Smith, "Attributability, Answerability, and Accountability: In Defense of a Unified Account;" David Shoemaker, "Attributability, Answerability, and Accountability: Toward a Wider Theory of Responsibility."

4. BLAME, PUNISHMENT, AND RETRIBUTIVISM (April 19) [DB/DN]

- (A) Michael Moore, *Placing Blame*, chs. 2-3 and Herbert Morris, "Persons and Punishment."
- (B) H.L.A. Hart, *Responsibility and Punishment*; Robert Nozick, *Philosophical Explanations*, ch. III; R.A. Duff, "Legal Punishment" <<http://plato.stanford.edu/entries/legal-punishment>>.

5. BLAME AND CULPABILITY (April 26) [DB]

- (A) Paul Robinson, *Structure and Function in Criminal Law*, ch. 3; David O. Brink, "Two Kinds of Culpability;" and Seana Shiffrin, "The Moral Neglect of Negligence."
- (B) Joshua Dressler, *Understanding Criminal Law*, chs. 9-10, 16-17.

6. BLAME AND STRUCTURAL INJUSTICE (May 3) [DB]

- (A) Gary Watson, "A Moral Predicament in the Criminal Law" and Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform*, ch. 7.
- (B) R.A. Duff, *Punishment, Communication, and Community* and Victor Tadros, "Poverty and Criminal Responsibility."

7. BLAME AND LUCK (May 10) [DN]

- (A) Bernard Williams, "Moral Luck;" Thomas Nagel, "Moral Luck;" Susan Wolf, "The Moral of Moral Luck;" and Michael Moore, *Placing Blame*, ch. 5.
- (B) Dana Nelkin "Moral Luck" < <http://plato.stanford.edu/entries/moral-luck>>; Michael Zimmerman, "Taking Luck Seriously;" Nathan Hanna, "Moral Luck Defended;" Neil Levy, *Hard Luck*, ch. 2.

8. BLAME AND FORGIVENESS (May 17) [DN]

- (A) Pamela Hieronymi, "Articulating an Uncompromising Forgiveness" and Brandon Warmke, "Articulate Forgiveness and Normative Constraints."
- (B) Jeffrey Murphy and Jean Hampton, *Forgiveness and Mercy*; Lucy Allais, "Wiping the Slate Clean: the Heart of Forgiveness;" Paul Hughes, "Forgiveness" <<http://plato.stanford.edu/entries/forgiveness>>; Kevin Zaragoza, "Forgiveness and Standing."

9. BLAME AND RESTORATIVE JUSTICE (May 24) [DB]

- (A) R.A. Duff, "Restoration and Retribution;" Andrew von Hirsch, Andrew Ashworth, and Clifford Shearing, "Specifying Aims and Limits for Restorative Justice;" Lucy Allais, "Restorative Justice, Retributive Justice, and the South African Truth and Reconciliation Commission;" and Colleen Murphy, "Reconciliation" <<http://plato.stanford.edu/entries/reconciliation>>.
- (B) John Braithwaite, "Restorative Justice: Assessing Optimistic and Pessimistic Accounts."

10. THE ETHICS OF BLAME (May 31) [DN]

- (A) Macalaster Bell, "The Standing to Blame: A Critique" in *Blame*, ed. Coates and Tognazzini; Gary Watson, "Standing in Judgment" in *Blame*, ed. Coates and Tognazzini.
- (B) Angela Smith, "On Being Responsible and Holding Responsible" and Justin Coates and Neal Tognazzini, "The Nature and Ethics of Blame."