PHIL 138: Responsibility
UCSD; Winter 2016
Professor David O. Brink
Syllabus

Here is a list of topics and readings in the order in which we will discuss them. Within a topic, do the readings in the order in which they are listed. Readings are either (A) required or (B) recommended. Required readings are drawn from the two required texts -- Joshua Dressler, *Understanding Criminal Law* and John Doris, *Lack of Character* -- and from additional electronic sources, which can be found on the TED website [TED]. There may be minor modifications in the assigned readings during the term; you should check periodically to make sure that you are operating with the current version of the Syllabus. I will regularly indicate where we are on the Syllabus (remind me if I don’t). It is very important to read the assignments on time, and it is helpful if you bring the texts we are discussing to class. Full publication details for these readings can be found on the Bibliography.

1. INTRODUCTION

2. RETRIBUTIVISM ABOUT BLAME AND PUNISHMENT
   - (B) Joshua Dressler, *Understanding Criminal Law*, chs. 2 and 6.

3. THE FAIR OPPORTUNITY CONCEPTION OF RESPONSIBILITY

4. CULPABILITY AND CRIMINAL RESPONSIBILITY
   - (A) Joshua Dressler, *Understanding Criminal Law*, chs. 9-10, 16-17 and David O. Brink, “Two Kinds of Culpability” [TED].
   - (B) Paul Robinson, *Structure and Function in Criminal Law* and Mitch Berman, “Justification and Excuse, Legality and Morality.”

5. RESPONSIBILITY AND STRUCTURAL INJUSTICE
6. SITUATIONISM AND RESPONSIBILITY

- (A) John Doris, *Lack of Character*, esp. chs. 2-4 and 7; John Doris and Dominic Murphy, "From My Lai to Abu Ghraib: The Moral Psychology of Atrocity" [TED]; David O. Brink, “Situationism, Responsibility, and Fair Opportunity” [TED].
- (B) Dana Nelkin, "Freedom, Responsibility, and the Challenge of Situationism."

7. INSANITY AND PSYCHOPATHY

- (B) David Shoemaker, *Responsibility from the Margins*, chs. 5-6.

8. IMMATUREY

- (B) Elizabeth Scott and Scott Steinberg, “Blaming Youth.”

9. ADDICTION

- (B) Gideon Yaffe, “Recent Work on Addiction and Responsible Agency” and *Addiction and Self-Control*, ed. Levy.

10. PROVOCATION AND DURESS


11. PARTIAL RESPONSIBILITY

- (A) Joshua Dressler, *Understanding Criminal Law*, ch. 26; Stephen Morse, "Undiminished Confusion in Diminished Capacity” [TED] and “Diminished Rationality, Diminished Responsibility” [TED].