

Mental Disorder, Decisional Capacity, and Moral Agency
PHIL 173: Topics in Bioethics
Fall Term 2018

Instructor

Dr. Monique Wonderly
Office: HSS 8047
Office Hours: Tuesdays, 11am-1pm (or by appointment)
Email: mlwonderly@ucsd.edu

Brief Course Description

This course will examine issues at the intersection of mental health care ethics and moral agency. In particular, we will consider whether and how impaired mental capacities might bear on questions concerning the moral agency and the ethical treatment of members of certain clinical populations, including psychopaths and individuals suffering from addiction. In exploring these issues, we will engage with bioethical approaches to understanding the nature and treatment of the aforementioned disorders and recent literature on agency and moral responsibility.

General Information

Students are expected to come to class having done the readings. All readings will be available to you online on the TritonEd course site. Note that readings marked “[REC]” are recommended and entirely optional. Regular attendance and preparedness for class are important. Attendance can impact your grade. You may miss one class with no penalty. Each unexcused absence after the first will result in your attendance grade being lowered by 10 points. The remaining portion of your grade will be determined by papers, as indicated below. Students are required both to hand in hard copies of their papers in class and to submit them electronically (papers will be checked for plagiarism). You may use laptops/tablets for note-taking only. No other electronic devices, including cell phones, may be used in class except by permission of the instructor.

Course Grade

The following factors will determine final grades:

Paper 1: ~2-3 pages (due 10/30)	20%
Paper 2: ~4-5 pages (due 11/20)	30%
Final Paper: ~8-10 pages (due 12/13)	40%
Attendance:	10%

93-100= A	86-88= B+	79-82=B-	73-75= C	66-68=D+	59-62=D-
89-92= A-	83-85= B	76-78=C+	69-72= C-	63-65=D	Below 59=F

Schedule of Readings

(Tentative list – readings may be removed or added)

9/27: Welcome and Introduction (No Required Reading)

Unit 1. Decisional Capacity and Morally Responsible Agency

- 10/2: Louis Charland. 2011 “Decision-Making Capacity.” In *Stanford Encyclopedia of Philosophy* [<https://plato.stanford.edu/entries/decision-capacity/>], Read sects 1, 2, 5, 6, 9, & 10 only.
- Scott Kim. 2016. “The Place of Ability to Value in the Evaluation of Decision-Making Capacity.” In D. Moseley and G. Gala (eds), *Philosophy and Psychiatry: Problems, Intersections, and New Perspectives*, New York: Routledge, pp. 189-203.
- 10/4: Gareth Owen et al. 2009. “Mental Capacity and Decisional Autonomy: An Interdisciplinary Challenge,” *Inquiry*, 52(1): 79-107.
- 10/9: Jeanette Kennett. 2009. “Mental Disorder, Moral Agency, and the Self.” In Bonnie Steinbock (ed.), *Oxford Handbook of Bioethics*, Oxford University Press, pp. 90-112.
- 10/11: Lisa Damm. 2010. “Emotions and Moral Agency,” *Philosophical Explorations* 13(3): 275-292.
- [REC] Matt King and Joshua May. 2018. “Moral Responsibility and Mental Illness: A Call for Nuance,” *Neuroethics* 11(1): 11-22.

Unit 2. Psychopathy and Autism: Moral Agency and Treatment Ethics

- 10/16: Kent Kiehl and Joshua Buckholtz. 2010. “Inside the Mind of a Psychopath,” *Scientific American Mind*: 22-29.
- Jeanette Kennett. 2002. “Autism, Empathy and Moral Agency,” *Philosophical Quarterly* 52: 340-357.
- 10/18: Victoria McGeer. 2008. “Varieties of Moral Agency: Lessons from Autism (and Psychopathy).” In W. Sinnott-Armstrong (ed.), *Moral Psychology: The Neuroscience of Morality: Emotion, Brain Disorders, and Development*, vol. 3, Cambridge, MA: MIT Press, 227-257.
- [REC] Dana Nelkin. 2017. “Fine Cuts of Moral Agency.” In S.M. Liao and C. O’Neil (eds.), *Current Controversies in Bioethics*, New York: Routledge, pp. 47-61.
- 10/23: Matthew Talbert. 2008. “Blame and Responsiveness to Moral Reasons: Are Psychopaths Blameworthy?” *Pacific Philosophical Quarterly* 89(4): 516-535.
- [REC] Kenneth Richman and Raya Bidshahri. 2018. “Autism, Theory of Mind, and the Reactive Attitudes,” *Bioethics* 32: 43-49.
- 10/25: Gary Watson. 2011. “The Trouble with Psychopaths.” In *Reasons and Recognition: Essays on the Philosophy of T.M. Scanlon*. Oxford: Oxford University Press, pp. 307-331.
- [REC] Ishtiyaque Haji. 2010. “Psychopathy, Ethical Perception, and Moral Culpability.” *Neuroethics* 3: 135-50.

10/30: Gary Watson. 2013. "Psychopathy and Prudential Deficits." *Proceedings of the Aristotelian Society* CXIII(3): 269-292.

[REC] R.J.R. Blair. 2008. "The Cognitive Neuroscience of Psychopathy and Implications for Judgments of Responsibility." *Neuroethics* (2008) 1(3): 149–157.

Paper 1 Due

11/1: Dietmar Hübner and Lucie White. 2016. "Neurosurgery for Psychopaths? An Ethical Analysis," with Commentary by Sven Nyholm and Stephen Campbell, *American Journal of Bioethics Neuroscience* 7(3):140-152.

Walter Glannon. 2014. "Intervening in the psychopath's brain." *Theoretical Medicine and Bioethics* 35(1): 43-57.

Class Selected Topic: Love and Grief

11/6: Dan Moller. 2007. "Love and Death," *Journal of Philosophy* 104(6): 301-316.

Ryan Preston-Roedder and Erica Preston-Roedder. 2018. "Grief and Recovery." In *The Moral Psychology of Sadness*, A. Gotlib (ed.). London: Rowman & Littlefield, pp. 93-116.

11/8: Brian Earp et al. 2017. "Addicted to Love: What is Love Addiction and When Should It Be Treated?" *Philosophy, Psychiatry, & Psychology* 24(1):77-92.

C.S.I. Jenkins. 2017. "Addicted? To Love?" *Philosophy, Psychiatry, & Psychology* 24(1):93-96.

Unit 3. Addiction: Moral Agency and Treatment Ethics

11/13: Walter Sinnott-Armstrong and Hanna Pickard. 2013. "What is Addiction?" In K.W.M. Fulford et al (eds.), *The Oxford Handbook of Philosophy and Psychiatry*. Oxford University Press, 851-864.

Hanna Pickard. 2017. "Responsibility without Blame for Addiction," *Neuroethics* 10(1): 169-180.

[REC] Marc Lewis. 2017. "Addiction and the Brain: Development, Not Disease," *Neuroethics* 10(1): 7-18.

11/15: Gary Watson. 2004. "Disordered Appetites: Addiction, Compulsion and Dependence." In his *Agency and Answerability: Selected Essays*. Oxford: Oxford University Press, pp. 59-87.

[REC] Hanna Pickard. 2012. "The Purpose in Chronic Addiction," *AJOB Neuroscience* 3(2): 40-49.

11/20: Richard Holton and Kent Berridge. 2013. "Addiction Between Compulsion and Choice." In Neil Levy (ed.), *Addiction and Self-Control: Perspectives from Philosophy, Psychology, and Neuroscience*. Oxford: Oxford University Press, pp. 239-268.

[REC] Gideon Yaffe. 2011. "Lowering the Bar for Addicts." In J. Poland and G. Graham (eds.), *Addiction and Responsibility*. Cambridge, MA: MIT Press, 113-138.

Paper 2 Due

- 11/27: Jeanette Kennett. 2013. "Just Say No? Addiction and the Elements of Self-Control." In Neil Levy (ed.), *Addiction and Self-Control: Perspectives from Philosophy, Psychology, and Neuroscience*. Oxford: Oxford University Press, pp. 144-165.
- [REC] Jeanette Kennett and Doug McConnell. 2013. "Explaining Addiction: How Far Does the Reward Model Take Us?" *Inquiry* 56(5): 470-489.
- 11/29: Louis C. Charland. 2002. "Cynthia's Dilemma: Consenting to Heroin Prescription." *American Journal of Bioethics* 2(2): 37-47.
- Bennett Foddy and Julian Savulescu. 2006. "Addiction and Autonomy: Can addicted people consent to the prescription of their drug addiction?" *Bioethics* 20(1): 1-15.
- 12/4: Arthur Caplan. 2013. "Denying Autonomy in Order to Create It: The Paradox of Forcing Treatment upon Addicts," in *Applied Ethics in Mental Health Care*. Cambridge: MIT Press, pp. 85-89.
- Owen Flanagan. 2011. "What is it like to be an addict?" In J. Poland and G. Graham (eds.), *Addiction and Responsibility*. Cambridge, MA: MIT Press, 269-292.
- [REC] Owen Flanagan. 2013. "The Shame of Addiction," *Frontiers in Psychiatry* 4: 1-11.
- 12/6: Review

Dec 13: Final Paper Due

Academic Integrity

Students are expected to conduct themselves with academic integrity. For more information, go to: <https://academicintegrity.ucsd.edu/>

Student Accommodations

Students requesting accommodations for this course due to a disability must provide a current Authorization for Accommodation (AFA) letter issued by the Office for Students with Disabilities (OSD) which is located in University Center 202 behind Center Hall. Students are required to present their AFA letters to Faculty (please make arrangements to contact me privately) and to the OSD Liaison in the department in advance so that accommodations may be arranged.

[858.534.4382](tel:858.534.4382) (phone) | osd@ucsd.edu (email) | <http://disabilities.ucsd.edu> (website)