

Explorations of the Relationship
Between the Right to Make
Decisions and Moral Responsibility
in Healthcare

Thomas Hartvigsson

Department of Philosophy, Linguistics,
and Theory of Science

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Abstract

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Author: Thomas Hartvigsson
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People intuitively think that there is a strong connection between having a right to make decisions and to be morally responsible for those decisions. This thesis explores the relationship between these notions in the context of healthcare. The exploration particularly focuses on what I call fringe decisional agents, e.g. adolescents and people who suffer from mental disorder, who have uncertain decision-making competence and exist at the intersection of different institutions.

I argue that even though the two notions are strongly connected they can come apart. First, even though both notions are concerned with the moral status of a person there is a potential conflict between the appropriate responses to a person who has the right to decide and someone who is morally responsible. Second, even if conditions for having the right to decide and being morally responsible are very similar they can come apart. Moral responsibility requires that a person exercises a certain degree of control over their actions, a condition that has no clear equivalent for the right to decide. Furthermore, even though both have cognitive conditions, the condition for having the right to decide is directed towards information regarding oneself, whereas the condition for moral responsibility is primarily directed towards information about other people. Finally, if an agent is the concern of different institutions, these might have different conditions for assigning the relevant status and may furthermore do so at different times.