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Excerpt

Causation and the Ethics of Belief

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The Basic Question:

Are mere mental contents about facts in the world exempt from moral evaluations?

To put it another way,

Should we suppose that epistemic states are distinguished from ethical assessments, perhaps following the commonsensical dichotomy between fact and value?

At first glance, the answer to those questions seems to be “yes”.

Anyway, as this thought experiment of mine shows, my real problem in the background of my initial question is that;

Is failure to make a true belief or carelessly having false or imperfect belief morally (and legally?) blameworthy?

★ What I have in mind, for example; groundless rumor as to physical phenomena, prejudice, discrimination, wrong assumption, credulity, (irrational superstition?), (pseudoscience?), and what not

The field in philosophy discussing such problems is called

“the Ethics of Belief”.

That is, as it were, **one of cross over regions between epistemology and ethics.**

▶ This subject called the ethics of belief has been developed in various ways so widely since the middle of the last century.

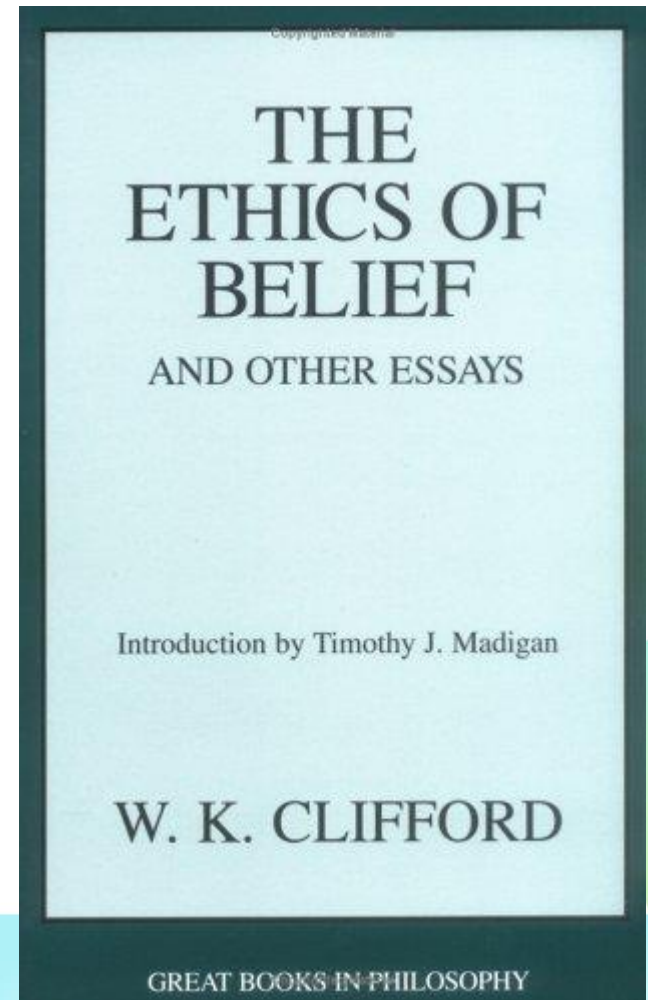
■ Recently, studies on virtue epistemology and epistemic injustice seem to be somehow in line with studies on the ethics of belief.

However, this time, I focus upon the very origin of recent debates on the ethics of belief, as that choice sounds to be orthodox and fit in better with my basic question.

► Epoch making article

William Kingdon Clifford

“The Ethics of Belief” (1877)



Clifford's famous thought experiment

'A shipowner was about to send to sea an emigrant ship. He knew that she was old, and not over-well built at the first; that she had seen many sea and climes, and often had needed repairs. Doubts had been suggested to him that possibly she was not seaworthy.....Before the ship sailed, however, he succeeded in overcoming these melancholy reflections. He said to himself that she had gone safely through so many voyages.....that It was idle to suppose she would not come safely home from this trip.....He would dismiss from his mind all ungenerous suspicions..... He acquired a sincere and comfortable conviction that his vessel was thoroughly safe and seaworthy; he watched her departure with a light heart, and benevolent wishes for the success of the exiles.....he got his insurance-money when she went down in mid-ocean and told no tales' (p.70).

Clifford declared about this shipowner that

‘Surely this, that he was verily guilty of the death of those men. It is admitted that he did sincerely believe in the soundness of his ship: but the sincerity of his conviction can in no wise help him, because *he had no right to believe on such evidence as was before him*. He had acquired his belief not by honestly earning it in patient investigation, but by shifting his doubts’ (p.70).

Namely, it is declared that the shipowner is morally blameworthy because of neglecting to examine evidence properly.

As far as I understand, Clifford judges that this shipowner should be morally blamed because of his negligence to examine evidence properly though some sort of self-deception.

▶ The main point of Clifford's famous thought experiment could be variously interpreted.

E.g. Susan Haack discusses this under such terms as "willful ignorance", "morally culpable ignorance", "morally culpable by omission", in addition to "negligence" and "self-deception".

★ Here, I will focus on "negligence"
(although negligence is one of omissions) .

However, Clifford's view is **quite rigorous and scrupulous** indeed!

‘Suppose that the ship was not unsound after all; that she made her voyage safely, and many others after it. Will that diminish the guilt of her owner? No one jot. When an action is once done, it is right or wrong for ever; no accidental failure of its good or evil fruits can possibly alter that. The man would not have been innocent, he would only have been not found out. **The question of right or wrong has to do with the origin of his belief, not the matter of it; not what it was, but how he got it; not whether it turned out to be true, but whether he had a right to believe on such evidence as was before him**’ (p.71).

So, Clifford's view could be called “**rigorism**”.

‘A bad action is always bad at the time when it is done, no matter what happens afterwards.....If I steal money from any person, there maybe no harm done by the mere transfer of possessions; he may not feel the loss, or it may prevent him from using the money badly. But I cannot help doing this great wrong towards Man, that I make myself dishonest.....This is why we ought not to do evil that good may come. For at any rate this great evil has come, that we have done evil and are more wicked thereby. In like manner, if I let myself believe anything on insufficient belief; there may be true after all, or I may never have occasions to exhibit it in outward acts. But I cannot help doing this great wrong towards Man’ (p.76).

In summary, there are three types which Clifford's ethics of belief raises as blameworthy beliefs. I abbreviate "beliefs based on insufficient evidence" as "insufficient beliefs" in the following.

- 1) insufficient beliefs which result in actual wrongdoing or harm
- 2) insufficient beliefs which luckily happen to be true
- 3) insufficient beliefs which result in nothing wrong

Probably, the first case 1) is easy to understand, as that could be classified as something corresponding to negligence, omission, or ignorance, dealt with in legal contexts.

Strangely and surprisingly, Clifford seems to give his standpoint about this problem in a unique way.

‘It is not possible so to sever the belief from the action it suggests as to condemn the one without condemn the other.....Nor is that truly a belief at all which has not some influence upon the actions of him who holds it. He who truly believes that which prompts him to an action has looked upon the action to lust after it, he has committed it already in his heart. If a belief is not realized immediately in open deeds, it is stored up for the guidance of the future. It goes to make a part of that aggregate of beliefs which is the link between sensation and action at every moment of all our lives.....

and so gradually it lays a stealthy train in our inmost thoughts, which may some day explode into overt action, and leave its stamp upon our character for ever' (p.73).

It is a quite resolute and radical view!!

According to Clifford, our belief necessarily and always leads to our action, i.e., our belief is inseparable from our action. This constitutes the definition of belief.

In addition, the concept of action united with our belief is so widely interpreted that even our character-forming are understood as a kind of action united with our belief.

Those questions could be analysed to be concerned with how to introduce the notion of probability into the ethics of belief.

★ And, in fact, Clifford tries to discuss the issue of how to save supposedly insufficient (but commonsensically acceptable) belief based on uncertain evidence from being condemned by his own rigorism in terms of “probability”, the principle of “the uniformity of the nature”, and his unique view on the growths of belief by the labours and struggles (pp.87-89), in the second half of his “the Ethics of Belief”.

Those arguments of Clifford are immensely interesting and worth investigating. However, this time, I will move to the next, second fundamental question to the ethics of belief.

Naturally, blameworthiness of wrongdoing (united with insufficient belief) depends upon how severe its harm is. The harm of people's death is usually taken to be severer than that of feeling awkward about typographical errors.

'Belief, as well as justification, comes in degrees'
(Haack 1997, p.139).

In addition, as the traditional slogan, "**ought implies can**", shows, even if the harm resulting from insufficient belief is really severe, but the agent could not avoid the failure, then their blameworthiness of that belief is not high. In that case, moral normativity, "ought", is not necessarily applicable.

E.g. **TNT case** 'At about the time TNT [trinitrotoluene] was invented, agents for the Wells=Fargo Company received a mysterious crate that was leaking a liquid that they could not identify. They tried to open the case with a hammer and chisel. After the crate exploded and caused injury to bystanders, the company found itself being sued' (Fletcher 2002, p.280).

In this case, people in this company made a belief that opening the crate is not dangerous, thus actually opened that. However, in reality, their belief was false. Yet, it did not seem to be possible to suppose that they could avoid making the belief (because of **ignorance**), although not completely impossible. Hence, 'The Court affirmed a finding of **non-liability** on the ground that the explosion was unforeseeable' (ibid.)

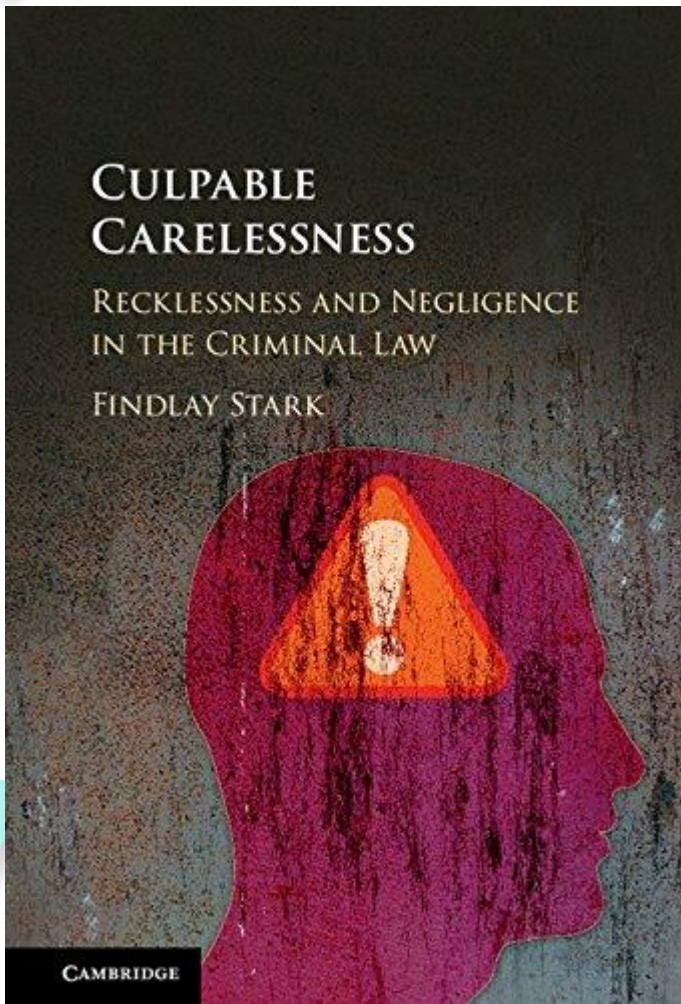
E.g. **(Hana's case)** 'Hana is a doctor, who is charged with the care of Dan. Hana injects Dan with a drug that he is allergic to, and he dies. A cursory check would have indicated the allergy, but Hana states (truthfully) that she did not believe that Dan might be allergic to the drug' (Stark 2016, p.186).

In this case, commonsensically speaking, Hana's belief was carelessly made so that her medical conduct is supposed to be blameworthy and morally culpable. This is a typical case of **negligence**. Clifford's ethics of belief directly applies to this case.

My own stance:

- ▶ **I positively affirm that Clifford's ethics of belief condemning insufficient beliefs should be seriously considered even in the contemporary contexts of philosophy and ethics, in view of deplorable rampancy of groundless rumors or careless assumptions in our present society.**
- ▶ **However, simultaneously, I assert that we should introduce some theory to distinguish various levels of blameworthiness regarding each of insufficient beliefs.**

Actually, the main idea of the ethics of belief is really working at least in the field of jurisprudence or the study of criminal law.



Stark is a senior lecturer of criminal law at Cambridge. He takes negligence to be

“inadvertence-based culpability”

and develops his arguments by regarding negligence as

“Failure of Belief”.

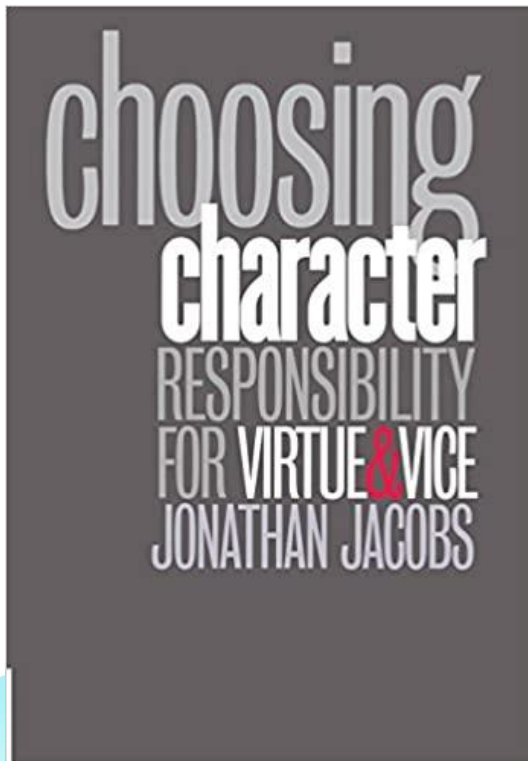
This strategy is exactly the same as the idea in the ethics of belief.

As far as I understand, there are three dominant theories to clarify how to evaluate blameworthiness with regard to negligence, although, of course, the evaluation initially depends upon the severity of resulted harm. Those theories take the issue of **what or whom to be blamed**.

- 1) **ability** of the relevant agent at the time of belief-making (or conduct) (E.g. Clark 2017)
- 2) **tracing** account: whether it is possible to trace negligence to the phase or decision where the agents can control themselves (E.g. Nelkin & Rickless 2017)
- 3) **character-forming**: whether the negligence is due to the agents' character trait which they could alter (E.g. FitzPatrick 2008).

[✖ 3) may be interpreted as one aspect of 2).]

Actually, the way of seeking the ground of moral blame or responsibility for the agent's character-forming sounds to be strange at first sight, as character is inherently given to each person so that it's inevitable. However, this way of thinking seems to be one trend in debates on moral or criminal responsibility.



Stark is the very philosopher who is sympathetic with the way of focusing on agents' character trait. when discussing the issue of negligence. I am not sure this trend is interpreted as one phenomenon of making law stricter. At least, this is the quite controversial issue.

Unfortunately, or naturally, the problem about how to clarify moral responsibility of negligence as failure of belief has not been perfectly solved by those theories above. Those theories have drawbacks as well as unique plausibility of each.

Here I propose another way of clarifying, hopefully, aiming to bring a kind of integration into the debate.

That is to say,

I try to introduce the notion of

“Causation by Absence”

in order to clarify the perplexed issue of negligence as failure of belief in line with Clifford’s ethics of belief.

Namely, negligence is supposed to be **caused** by omission to make careful check on relevant evidence.

Basically, I appeal to **“counterfactual analysis of causation”** which is one of the standard approach to causal relation since David Lewis’s argument and suitable as well for dealing with causation by absence.

$O(c) \square \rightarrow O(e)$ and $\sim O(c) \square \rightarrow \sim O(e)$

(Lewis ‘Causation’, p.167)

As to the case of Clifford’s ship owner,

If the shipowner had seriously and carefully examined the condition of his emigrant ship, he would not have such the belief that the emigrant ship could go safely.

If this counterfactual sentence is acceptable, the cause of his false belief could be supposed to his careless omission. So, he should be morally blamed for his insufficient belief.

Similar point is true of Hana's case above.

If Hana had carefully checked Dan's allergic constitution, then she would not have such a thoughtless belief that Dan had no problem to the drug she injected.

So, the cause of Hana's thoughtless and careless belief could be supposed to be her omission of medical check that she **ought to** conduct as a doctor. She should be morally (and legally in the light of the severity of the result) blamed.

As this analysis suggests, attribution of cause in the case of negligence has deeply much to do with a kind of normativity (i.e. "**ought to**"). The same is true of Clifford's shipowner case, as he **ought to** have carefully and seriously check the ship's condition.

Of course, there are various degrees of compelling force of such normativity, thus **level of blameworthiness as to negligence changes depending upon compelling force of relevant “ought to”**.

E.g. “Ought to” in Hana’s case is more strongly compelling than “ought to” in the case that a husband ought to keep a promise with his wife of buying grated cheese before coming back home.

◆ Those levels of normativity could be proportional to the severity of sanction if the norm were violated.

★ In any case, what those arguments above suggest is that;

the level of blameworthiness regarding negligence is a function of “degree of normativity” and “severity of resultant harm”.

Then, **how about the TNT case?**

If people in that company had carefully checked the crate, they would not have such a belief that opening the crate is not so dangerous as needing to keep bystanders away.

Is this counterfactual conditional sentence acceptable?

We tend to say “No”, as there was little possibility to suppose a kind of normativity (ought to) in that situation, and, fundamentally speaking, they were almost ignorant of TNT, so that they were unable to imagine dangerousness.

However, there were slight normativity in general as to being careful to open the unknown box, so we might not say they are completely morally innocent.

►As this suggests, counterfactual strategy includes “analysis by ability” I mentioned above in an integrated way.

The fundamental and blistering criticism against counterfactual analysis of causation itself is that;

‘How are we supposed to know what the truth values of the relevant counterfactuals?.....on what basis is any judgment of a counterfactual justified? Are the counterfactual conditionals being used to settle questions about causation based on anything more than offhand opinion?’ (Kutach 2014, pp.74-75.)

This criticism could apply to the question of acceptability I raise rather than truth value about counterfactual conditionals.

That’s the most tough hurdle to get over.

However, there are other hurdles.

I will just mention four problems, hoping to develop my idea towards the future:

1) How to understand the relation and the difference between causation and responsibility:

E.g. factual/evaluative causation (see Turton 2016)

2) How to solve philosophical problems of preemption or overdetermination (that is one of classical problems on counterfactual analysis of causation) in the context of debates on negligence

E.g. to modify But For Test, see Green 2017.

3) How to deal with what is called “the problem of profligate causation” (by Menzies 2004)

There could be infinitely many candidates of the cause of a particular event once we try to understand causation by absence by counterfactual analysis.

★ In the case of Clifford’s shipowner, it is possible to attribute the cause of his insufficient belief to his failure of careful examination on the ship’s condition, but there are other possibilities to attribute the cause.

→ E.g. his family’s failure to encourage him to investigate the ship’s condition, passengers’ failure to request him to conduct more detailed check on the ship’s condition, or the US President’s failure(!!) to request so, and so on.

4) How to treat the problem of character-forming in arguing about the ethics of belief and negligence

I sincerely admit that it makes sense to trace the cause of having insufficient belief or negligence into the starting phase of forming character, as, certainly, there might be a sort of controllability in our forming or cultivating our personality.

However, we should notice that there are lots of confounding factors in forming our character like parents' education or financial environment and so on.

So, it is a bit hard to attribute the cause of negligence solely to character forming.

Thus, we have to consider degrees of contribution of character-forming to negligence as a cause.

Hart & Honoré suggests one idea, namely, “remoteness of damage” (Hart & Honoré 1985, p.xlviii).

That is to say, in the more remote past from the time of making insufficient belief the occasion of the agent’s forming character arose, less likely the character-forming is to be regarded as the cause of insufficient belief (i.e., negligence).

Those proposal of mine regarding the ethics of belief might be just a wacky idea.

I will refine the idea, hopefully.

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