

## Doxastic morality: a moderately skeptical perspective

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**Abstract:** Beliefs can *cause* moral wrongs, no doubt, but can they also *constitute* moral wrongs in their own right? This paper offers some grounds to be skeptical of the idea that there are moral norms which operate directly on belief, independently of any epistemic norms also operating on belief. The resultant skepticism is *moderate* in the following sense: it holds that the motivations underlying the doxastic morality approach should not be dismissed lightly; they are genuine insights, and serve to bring to light important new issues concerning the interaction between our notions of moral and epistemic responsibility. Nonetheless, it is also *skeptical*, in holding that these concerns are ultimately best voiced in more traditional categories which distinguish the epistemology of belief from the morality of action.

### 1. Introductory

In reflective as well as unreflective moments, we usually don't hesitate to talk about beliefs in normative terms, viz., as good or bad. But good or bad in light of what? Most obviously, perhaps, what one should believe is normatively constrained by the evidence at one's disposal. Further, perhaps less obvious normative constraints on belief might come from logical and probabilistic considerations: if two of my beliefs jointly entail  $p$  and not- $p$ , I should reconsider my commitment to one or both; if  $p$  and not- $p$  are exhaustive possibilities, then my credences distributed over those propositions should add up to 1.

These are well-trodden grounds. More recently, philosophers have come around to considering the question of whether one source of normative pressure on belief could come from morality itself. In other words, are there things one should or should not believe on moral grounds alone, regardless of whether these beliefs would be supported by one's evidence? In particular, could our beliefs stand to wrong others in their own right, quite apart from their connection with action?

This paper will offer a moderately skeptical perspective on the idea of specifically moral constraints operating directly on belief. I will argue that the motivations underlying this research program should not be dismissed lightly: they are genuine insights, and serve to bring to light important new issues concerning the interaction between our notions of moral and epistemic

responsibility. But ultimately, these concerns can be voiced in more traditional categories which distinguish the epistemology of belief from the morality of action.<sup>1</sup>

## 2. Background: the epistemology of prejudice

I will introduce our question by seeing how it arises in one particularly pressing context, namely the epistemology of social prejudice. Minimally, we can define a social prejudice as a negatively charged, materially false stereotype targeting some social group, and, derivatively, the individuals who comprise this group. A number of authors, most prominently, perhaps, Miranda Fricker, take it to be essentially a defining feature of prejudiced belief that its etiology involve some kind of epistemic culpability. She writes: “We must surely start with the presumption that, at least as regards explicit prejudice, we are epistemically culpable for allowing prejudice into our thinking” (Fricker 2016: 36).<sup>2</sup> More elaborately: “[t]he idea of a prejudice is [...] most naturally interpreted in an internalist vein as a judgement made or maintained without proper regard to the evidence, and for this reason we should conceive of prejudice generally as something epistemically culpable” (Fricker 2007: 32-33). If this general orientation is right, then it seems like whenever I hold a prejudice against you, I could be said to be doing something wrong on epistemic grounds, regardless of whether I am also wronging you (on moral grounds) in holding this belief.<sup>3</sup>

Now, Fricker may well be right that it belongs to our commonplace or everyday concept of prejudice that it is the result of some sort of faulty belief forming process. Most commonly perhaps, we seek to explain persistent prejudice in terms of bias: prejudiced people can maintain their beliefs only by irrationally ignoring or discounting contrary evidence.<sup>4</sup> That is to say, the evidence to

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<sup>1</sup> As will emerge, my argument depends on a relatively broad construal of “action,” on which we can be held morally accountable not just for overt intentional actions, but also for a much broader range of behaviors, whether they be intentional or unintentional. This broadening of the concept of morally sanctionable action, I take it, has ample independent motivation, but should also resonate with the general philosophical outlook behind the doxastic morality approach.

<sup>2</sup> “Explicit prejudice” is of course meant to mark a contrast with the phenomenon of implicit bias, which has recently gathered a lot of philosophical attention. For important benchmarks, see Gendler (2011), Saul (2013), and the papers collected in Brownstein and Saul (2016).

<sup>3</sup> Fricker goes on to argue that the question of whether I have wronged you, in the moral sense, is in part determined by the question of whether I have committed a prior epistemic wrong. I will return to this line of thinking in section 4.

<sup>4</sup> Cf. Fricker (2016: 39): “the epistemic fault for which the prejudiced thinker is culpable, other things equal, is the motivated maladjustment to the evidence. Epistemic faults operating unimpeded in the individual’s epistemic system are canonical cases of blameworthy epistemic conduct (other such faults might be jumping to conclusions, carelessly overlooking counter-evidence, wishful thinking, dogmatism, sloppy calculation, and so on).”

counteract the prejudice is readily available, but encounters some kind of cognitive resistance: either it is not given the appropriate weight or it is neglected altogether. Such cases are clearly common.

But at the same time, there is good reason to think that not *all* cases of prejudice will involve epistemic culpability in this sense. In previous work, I have argued that a more probing reconstruction of the evidential situation that many prejudiced people find themselves in will reveal that they can in fact be perfectly justified in holding their beliefs.<sup>5</sup> In particular, if prejudiced beliefs embody the logical structure of generics,<sup>6</sup> then it is plausible that they can come to display a much higher degree of rational resilience in the face of contrary evidence than Fricker gives them credit for. If so, it is not true that prejudiced people must in general be guilty of “motivated maladjustment to the evidence.” It is certainly correct that prejudiced people will display a certain kind of resistance against new evidence. But this resistance may not be irrational: instead, it could turn out to be well supported by widely accepted Bayesian principles of belief revision in light of new evidence.<sup>7</sup>

Now, if this is right, we might find ourselves in situations where we would have to concede that a prejudiced person is doing nothing wrong by their evidence in forming the beliefs that they do, and in fact are doing everything right – right, that is, epistemically speaking. I happen to think that this is an important insight, and I’m currently engaged in extended work trying to pry out the consequences of this point.<sup>8</sup>

But even so, it is certainly tempting to think that the epistemic story is only part of the overall normative picture, and does not exhaust all that needs to be said. Certainly, something does seem to be amiss here: prejudice is hardly a good thing, no matter how we think of it. But what is the nature of the wrong committed? Since it is apparently not an epistemic wrong (given the evidence), we are brought to consider the possibility that it might be a moral wrong. And so, we are naturally brought to consider the question of doxastic morality: perhaps there are things one just shouldn’t believe no matter what one’s evidence says.

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<sup>5</sup> Begby (2013) focuses on an example that Fricker borrows from Arpaly (2003), involving Solomon, “a boy who lives in a small, isolated farming community in a poor country,” and who “believes that women are not half as competent as men when it comes to abstract thinking, or at least are not inclined toward such thinking” (Arpaly 2003: 103). Surely, however, the analysis will extend to a range of other cases as well. (For a recent example, see Susanna Siegel’s discussion of Whit, a young man who casually absorbs widespread racialized beliefs from his cultural environment (Siegel 2017: ch. 10). I discuss the case of Whit in Begby (forthcoming).)

<sup>6</sup> Cf. Begby (2013); Leslie (2008); (2015); (2017).

<sup>7</sup> Cf. Begby (2013: 96).

<sup>8</sup> See Begby (MSa), *The Epistemology of Social Prejudice*, book manuscript in progress.

### 3. Can beliefs wrong?

Our guiding concern is whether there are moral constraints operating directly on belief, independently of any other normative constraints, and independently of any moral constraints operating on action (suitably broadly construed). In other words, our question is whether beliefs can *constitute* wrongs in their own right; it is not whether beliefs can *cause* wrongs, because surely they can. Beliefs stand in causal and explanatory relations to actions. If I hold prejudiced beliefs against you, these beliefs can cause me, for instance, to discriminate against you, thereby violating your right to fair treatment. These causal and explanatory connections with action make clear why in general we take a moral interest in beliefs about others. But it is also natural to think that the real weight of these moral constraints is placed on the action; it is the action that wrongs, not the belief per se. For instance, if I treat you fairly, irrespective of my beliefs about you, I have not wronged you.

I take it, then, that what is radical and exciting about the doxastic morality approach is the idea that I can stand to wrong you simply in virtue of believing certain things about you, quite apart from how that belief might manifest in my actions. Here, I take myself to be following Basu and Schroder (MS: 1), who emphasize three features of “doxastic wrongs”:

First, doxastic wrongs are *directed*. When you wrong someone, you don’t merely do wrong, you do wrong *to them*. Second, doxastic wrongs are committed *by beliefs*. So in particular, the wrong in a doxastic wronging does not lie in what you *do*, either prior to, or subsequent to, forming a belief, but rather in the belief itself. And third, doxastic wrongs are wrongs *in virtue* of what is believed. So a belief that is a doxastic wronging does not wrong merely in virtue of its consequences; the wronging lies in the belief, rather than in, or at least, over and above, its effects.<sup>9</sup>

With this clarifications in mind, we can move on to ask, in quite general terms, what is a (moral) wrong? I will adopt what I take to be a fairly orthodox view, on which wrongs correlate with rights. Rights, I take it, are grounded in the reasonable interests of persons to be protected against certain kinds of injury. When that interest is jeopardized, people can be said to have been harmed. When one suffers harm in this sense, one has a pro tanto claim against the offending person (or institution) that they cease and desist, and perhaps also, offer rectification or compensation.

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<sup>9</sup> Before moving on, I would like to flag that I take the question of doxastic morality, as laid out here, to raise different issues than the question of whether the “moral stakes” involved in a situation can modulate the amount (or kind) of evidence required to form a belief (so-called “moral encroachment,” as discussed in, inter alia, Pace (2011), Fritz (2017), Moss (2018), Gardiner (MS), and Basu (MSa, MSb), Basu and Schroeder (MS). I will return to this issue below, at the end of section 3.

Minimally, then, a wrong must involve some harm, the harm in question being simply the violation of one's reasonable interest to be protected against injury.<sup>10</sup> For the sake of completeness, let us also note that, plausibly, not all harms are wrongs: on the one hand, I might have forfeited my right to be protected against such harm by my previous actions; on the other hand, we may find ourselves in a situation where not everyone's reasonable interests can be jointly satisfied, as in familiar moral dilemmas: we have two people in need of an antidote, but only one vial.<sup>11</sup>

In brief, the crucial features of wrongings that I want to highlight are the following: that there is no wrong without harm, and that whenever A is wronged by B, A has a *pro tanto* claim on B to cease and desist. Maybe one could worry that this is too regimented, perhaps too "legalistic" a concept of a wrong. To the contrary, I would argue that when we are casting about for major conceptual innovations in one dimension of discourse (as we are when we are considering the idea of doxastic morality), we would do well to nail down a solid conceptual fulcrum at the other end. The account of a moral wrong just given serves this purpose. Moreover, I would argue that it is a good account on its own terms: specifically, I fail to see the utility of a concept of wronging someone that does not entail that the person wronged has some minimal, *pro tanto* claim against the person perpetrating the wrong. Moreover, I fail to see what could ground such a claim except the need to protect one's reasonable interests.

If this is on the right track, then the question of whether I can wrong you merely in virtue of holding certain beliefs about you can be treated as the question of whether, by holding these beliefs, I can harm you in such a way as to give you a claim upon me to cease and desist. We can begin with the harm component. Here, it is tempting to take a short course and argue that "harm" is a causal notion, and that belief is causally inert except insofar as it manifests in action, suitably broadly construed. So any harm that arises here is to be assessed in terms of belief's connections with action and not on its own terms.

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<sup>10</sup> See, for instance, Feinberg (1984) for discussion in the context of criminal law. The view is not without its problems, of course, as Feinberg himself recognizes. For instance, one might worry about putative cases of "harmless wrongs," such as botched criminal attempts or desecration of the dead. These are puzzling cases, obviously, and although I do think they can be answered, it would take us too far afield to give them full consideration here. Suffice it to note, then, that it is extremely doubtful that defenders of doxastic morality would want to adopt a harmless wrongs model: instead, what is morally wrong about racist beliefs is precisely the harm they visit on their targets. (Thanks to Evan Tiffany for discussion of these issues.)

<sup>11</sup> We might also add a third way in which someone may be harmed without being wronged: the harm is simply not severe enough to give you a claim on me to cease and desist. That's not to say, however, that many such harms, perpetrated by different people, could not "scale up" to a wrong. But it doesn't follow that the individual contributions to such a wrong are themselves wrongs. (Thanks to Kelsey Vicars for discussion on this point.)

But maybe this is too quick. We cannot simply dismiss out of hand the idea that we often take an interest in what others think about us. It is certainly hurtful, perhaps also harmful, to learn that others view us in an unfavorable light. (I should add right away: what would be harmful here is not the learning of it (by whatever causal mechanism that might occur), but the *fact* that they take a dim view of us). So perhaps we can grant that we have a reasonable interest in what others believe about us, quite apart from how these beliefs lead them to act toward us. When others believe badly of us, this interest is undermined, and accordingly we stand to be harmed.

One skeptical line of thought here might take the following form: belief is not generally under voluntary control; I’m not morally accountable for things that I cannot control; therefore, no one can have any legitimate moral claim upon another that they change their minds about them. I rehearse this familiar line of thought simply to point out that this is not the line that I take: for one, I am not convinced that the “control condition” really is a condition on moral responsibility.<sup>12</sup> Further, it is an open question to what extent belief is under our control, directly or indirectly. But more broadly, if this were generally the case, then we would be under pressure to rule out, for instance, that one could be wronged by another person’s compulsive behavior. I see no reason to assume, on general grounds, that my moral claim upon you to cease and desist is conditional on you being capable, in this or that sense, of complying.

My (moderately) skeptical line is different. I don’t think we can make sense of the idea that people, in general, have a moral claim upon other people that they believe any particular thing about them, in any register, be it positive, neutral, or negative. Here’s an obvious example: if I have, consistently through several interactions, provided you with ample reason to believe that I am a person of dubious moral character, then I have absolutely no moral claim upon you to believe that I am a person of excellent moral character. (Moreover, this is presumably so independently of whether I actually am of excellent moral character, and was just unlucky in my interactions with you).<sup>13</sup>

Though this example is near trivial, it points in the direction that I want to take. I do think we can make some sense of the idea that we have a moral claim upon the doxastic lives of others. But

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<sup>12</sup> See, inter alia, Hieronymi (2008), Washington and Kelly (2016), Levy (2017), and Basu and Schroeder (MS) for discussions.

<sup>13</sup> I don’t want to foreclose the possibility that there might be some cases – e.g., intimate personal relationships built on mutual trust – where things stand differently, and where we can make sense of the idea of wronging someone by belief alone. What I doubt is whether doxastic morality will generalize much beyond these cases. I will return to this issue in my final section.

that claim is best understood not directly in terms of what you believe about me, but in terms of your reasons for having these beliefs about me. Ultimately, then, if I have a moral claim upon your doxastic life, it is a moral claim that you treat me fairly on the evidence that you have.<sup>14</sup> If I have given you no reason to think that I am of dubious character, then you are not simply committing an epistemic wrong, but plausibly also a moral wrong, by believing that I am. If I have given you excellent reasons to think that I am a person of upstanding moral character, then you are not simply committing an epistemic wrong, but plausibly also a moral wrong, by failing to give that evidence its due. Even so, this concession can still be folded into relatively traditional terms of epistemic normativity: my moral claim upon your doxastic life is not a claim upon your beliefs directly, but a claim that you assess the relevant evidence correctly. Accordingly, it would still be the case that the only substantive normative constraint on belief comes from evidence. True, the failure to abide by the norm of evidence is now seen not simply as an epistemic wrong, but (potentially) a moral wrong as well. However, the moral wrong is fully a consequence of the epistemic wrong.

There are relevant complications to consider here. One, suggested by my previous work summarized above, is that in many cases of prejudiced belief, the evidence (such as it is) is entirely or largely lodged at the group level. Yet a prejudiced person may feel epistemically entitled to have beliefs about *you*, simply in virtue of your membership in the group in question. We may assume that I have no direct evidence about *your* moral character or intellectual abilities. But you are an instance of this kind, and I do have evidence regarding the kind. This transition from beliefs about a group to beliefs about individuals is often felt to be deeply problematic. Surely, this feeling is right in many cases. But when they are problematic, it is because the transition overestimates the evidential strength of the source belief.

Some might hold that group level "generic" beliefs are always wrong: that is, one is never entitled to hold beliefs of the form "Fs are G," where F denotes a social group. Such beliefs constitute stereotypes, and stereotypes are wrong because they fail to treat people as individuals.<sup>15</sup> It is not always clear from these discussions whether the wrong in question would be epistemic or moral in character.

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<sup>14</sup> Admittedly, this is probably too crude as it stands: a full account would also recognize, at least in certain contexts, one's moral claim to a fair opportunity to present the relevant evidence in the first place. Failure to provide such opportunities is, I believe, a major contributing cause of persistent social marginalization. For a fuller treatment of the epistemic ramifications of this problem, I must defer to a future occasion. But for now, suffice it to note that this problem can plausibly be described in terms of a suitably amended concept of action, i.e., in terms of avoidance or disregard. Accordingly, the (indisputably) moral issues at stake can once again be brought under the rubric of moral constraints on agency (broadly construed) and need not be discussed in terms of moral constraints on belief per se.

<sup>15</sup> Cf. Lawrence Blum (2004: 271-275), as well as Beeghly (2015) for critical discussion.

Epistemically, however, it seems extremely doubtful that we would always be wrong to hold generic beliefs about groups. Quite simply, there seems to be nothing intrinsically wrong about believing, for instance, that Canadians are nice. Maybe there is an asymmetry between positive and negative stereotypes here. So take instead the stereotype that New Yorkers are crass. Epistemically, whether that stereotype could ever be justified is the question of whether one’s evidence supports it, on balance. Once we recognize that the evidence could come in the form of peer testimony from well-placed sources (or sources that one has good reason to believe are well-placed), then I think it is clear that even such negative stereotypical beliefs could be epistemically warranted.<sup>16</sup>

Presumably, then, the epistemic problem would lie in the transition from generic beliefs to beliefs about individuals. Irrespective of one’s epistemic support for the belief that New Yorkers are crass, one should never reason that “New Yorkers are crass, X is a New Yorker, therefore ....” But what, exactly, would be wrong about an inference of this kind? It is one thing to observe that it can lead one to have false beliefs. But that is not in itself problematic: all manner of non-demonstrative inferences are risky in this sense, without the form of inference itself thereby being impugned. And it would be decidedly odd to allow that I am perfectly justified in believing that Xs are Y, while at the same time holding that this should do nothing whatsoever to increase the probability of the hypothesis that an arbitrary X is Y.

There are real causes for concern here, no doubt. But I believe these concerns are well-accounted for in more traditional terms of epistemic normativity. The crucial distinction at work here is one between the question of what one should believe given one’s evidence, and what level of confidence one should have in that belief, given one’s evidence.<sup>17</sup> It could be that general knowledge of human affairs and human psychology should lead one to have relatively low confidence in peer testimony (or one’s own inductive power) when it comes to group level belief. But this is a (by now) fairly well-understood point about the complexity of the evidential situation that epistemic agents often find themselves in: in addition to one’s first-order evidence, one can be in possession of higher-order evidence which should modulate one’s rational credence in the belief in question.<sup>18</sup> So one could come to believe that New Yorkers are crass on the basis of peer testimony to that effect, even as one is aware that testimony of this form is often prejudiced or exaggerated. Yet it is not irrational to retain

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<sup>16</sup> Cf. Begby (2013).

<sup>17</sup> See Begby (MS*b*) for a fuller account of the significance of this distinction.

<sup>18</sup> See Christensen (2010) for an illuminating account.



the belief even in recognition of the higher-order evidence, so long as one modulates one’s confidence in the belief appropriately.

Similar considerations apply to the transition from generic belief to beliefs about individuals. Holding fixed one’s rationally appropriate credence in the generic belief, there is no doubt that human beings generally exhibit a tendency to overestimate the degree to which such beliefs permit them to form beliefs about particular individuals. Again, credence is key: it is not that generics provide *no* support for beliefs about particular individuals. It is rather that they typically provide relatively weak and defeasible support for such beliefs. Prejudiced people typically overestimate the degree to which generic beliefs provides such support. They think that their justified generic belief gives them epistemic reason to effectively quarantine or disregard contrary evidence about the individual in question. Plausibly, there is a moral wrong in the offing here. But it seems to be a moral wrong that piggybacks on an epistemic wrong, and which can accordingly be addressed in that more traditional terminology.

Now, doxastic morality is often discussed in tandem with the idea of “moral encroachment,” i.e., the notion that the moral stakes involved in a situation contribute to determining the amount (or kind) of evidence required to form a belief.<sup>19</sup> And conceivably, the moral encroachment thesis could provide a valuable additional perspective here: it can offer a plausible explanation for why we should be reluctant to draw the inference in question in some cases, but not in others. The cases in which we should be reluctant to draw the inference are the cases that involve human beings (or other rights holders). The reason we should be reluctant is not that we lack evidence (i.e., whatever it is that supports the generic belief), but that human beings, unlike inanimate objects, have a moral claim to be treated on their own terms, or to have that treatment not be prejudiced by stereotypes (irrespective of whether those stereotypes, considered in their own right, enjoy epistemic support).<sup>20</sup> Quite simply, where human beings are concerned, the moral stakes are generally higher; accordingly, one needs more (or better) evidence to secure epistemic warrant for the inference in question.

Though I find the idea of moral encroachment appealing in many ways, I am not convinced that it is truly needed to get a handle on what might go wrong in the kinds of cases that I have been

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<sup>19</sup> Cf. Basu and Schroeder (MS), Basu (MS*a*, MS*b*).

<sup>20</sup> Cf. Sarah Moss (2018: ch. 10). Note, though, that Moss’s arguments target inferences about individuals drawn from merely statistical evidence. Whatever the merits of her arguments in that particular setting – and it would take us too far afield to give them full consideration here – suffice it to note that there is no clear reason to think that beliefs encoded in generic form are really just covert statistical generalizations.

focusing on. But however that may be, I would like to point out that securing a role for moral encroachment is not yet sufficient to establish the viability of the doxastic morality approach. Here is how: if concerns about doxastic morality are well-grounded, we really should be able to voice them in terms that make no reference to evidential considerations and to the subject’s epistemic context more broadly. That is, one could presumably find oneself in epistemic situations where one could meet all one’s epistemic requirements (even taking the moral stakes into account) and still be epistemically warranted in forming the problematic prejudiced beliefs.<sup>21</sup> But if such beliefs are genuinely harmful in their own right, tantamount to wrongs, then the moral questions should remain on the table even after the epistemic questions have been settled. In other words, we cannot establish claims about doxastic morality simply by documenting the way in which the moral stakes modulate our epistemic obligations. If people can be wronged by my beliefs, it is because my beliefs stand to cause them harm. As I will argue in the next section, we should be able to specify this harm – as well as people’s right to be protected against such harms – in terms that make no reference to the wrongdoer’s epistemic situation.

#### **4. Moral responsibility without epistemic wrongdoing**

So far, I have argued that the concerns that motivate the doxastic morality approach can be properly accounted for under a more traditional approach which holds that belief answers first and foremost only to epistemic norms, while moral norms apply primarily to action and behavior, taken in a suitably broad way. Of course, our beliefs and our agency are intertwined in all sorts of ways, and as such, it is no surprise that we often express our epistemic concerns and our moral concerns together. But in the final analysis, we would do well to keep them apart. Moral encroachment is no help here: even if the moral stakes contribute to determining the evidential threshold a belief must meet in order to warrant action, it is still best understood as a constraint on epistemic processing, and not as a constraint operating directly and independently on the belief itself.

Where does this leave us? To be clear, while I take it that my arguments support a degree of skepticism toward the doxastic morality approach, it is decidedly a moderate form of skepticism: I believe the approach is prompted by novel and important insights about the relationship between

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<sup>21</sup> See Begby (MSa) for an account.

moral and epistemic responsibility, albeit insights that are ultimately not best captured in terms of moral norms operating directly and independently on belief.

To see where we might go from here, consider a comparison with another recently popular view which appears to take the diametrically opposite position. On this view, our concept of moral responsibility is fully constrained by our concept of epistemic responsibility in the following sense: we can hold someone morally responsible for the wrongs that their actions have caused only if we can find them epistemically responsible for knowing that their actions were wrong in the first place. If opposition to this sort of view is part of what motivates the doxastic morality approach, then I think it is important to note that we can articulate and defend these motivations without having to make the case that there are moral norms operating directly and independently on belief. Moreover, I think it is important to find a middle-ground in our response to this view; otherwise, as I will argue, we would run a real risk of moral overreach.

It is not hard to see why one might be tempted by the view that our concept of moral responsibility is importantly constrained by our concept of epistemic responsibility. Ignorance is frequently touted as an exculpatory factor: often, it makes a significant difference to our assessment of an agent’s moral status whether he knew, or was in a position to know, that his action could cause unwarranted harm to others. The view under consideration, then, is that in a case where we find that an agent is not epistemically responsible for failing to know that a certain harm might follow from his actions, then he is also not morally responsible for any such harm as does in fact follow. Thus, for instance, Gideon Rosen (2003: 61) argues that “[w]hen a person acts from ignorance, he is culpable for his action only if he is culpable for the ignorance from which he acts.”<sup>22</sup> Rosen (2004) presents this argument sketch as a template for a new form of “skepticism about moral responsibility.”

Against this line of argument, the doxastic morality approach might certainly seem to come in handy. If we could make good on the idea that morality places normative constraints operating directly on belief, independently of any epistemic considerations, then this whole argument would be a non-starter. But I have argued above that we struggle to make good on this idea. Luckily, there are other

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<sup>22</sup> See also Zimmerman (2008) and Sher (2009) for related discussions, as well as Guerrero (2007), Fitzpatrick (2008), Harman (2011), and Mason (2015) for critical responses. To this claim, we might also add Holly Smith’s argument (1983) that in cases where someone actually is culpable for their ignorance, their responsibility may reach no farther than to the fact of being ignorant itself. (In Smith’s terminology, moral responsibility encompasses the “benighting act” of failing to inform oneself as one should, but not the consequent “unwitting act” perpetrated in the good-faith but mistaken view that one was acting permissibly).

ways of countering the view that epistemic blamelessness entails a blanket excuse for any moral harm that one’s actions might cause. In particular, I think that we can rescue the crucial point that the question of whether someone is wronged by my action is in no sense dependent on the question of whether I am epistemically at fault for failing to know that my action is wrongful.

Once again, my approach to this issue is shaped by a concern with the causes and consequences of social prejudice. I take it to be uncontroversial that prejudice can cause substantial, unwarranted harms to innocent parties. And I take it to be only slightly more controversial that in cases where such harm is pervasive and systematic, it can rise to the level of injustice: in such cases, the targets of prejudice are not merely harmed but also *wronged*. So far, so good. But where there is injustice in this sense, it will seem natural to look for perpetrators. In our case, presumably the perpetrators would be the prejudiced people. And since prejudice is ultimately a matter of doxastic attitude, we are brought to consider the idea of epistemic responsibility. Here, in my view, is where we are likely to go wrong.

Miranda Fricker, whose views we had brief occasion to review earlier, explicitly supports the view that makes moral responsibility contingent on epistemic responsibility: she takes epistemic culpability to be “prior to” moral culpability in the sense that “the question whether someone is morally blameworthy for an act or omission crucially depends on the epistemic question of whether there was non-culpable ignorance in play” (Fricker 2016: 35). But she also adds a further, more radical twist to this idea: epistemic culpability determines not just whether someone is morally responsible for causing harm; it also determines whether the harm in question could amount to a *wrong*. That is, she specifically argues that *unless* the prejudices in question were rooted in epistemic culpability at the individual level, then the people who suffer harms from these prejudices could not even be said to have been wronged. And if they haven’t been wronged, we would presumably have no cause to discuss their plight in terms of justice and injustice.<sup>23</sup>

Combined with my view that some – possibly many – cases of prejudiced belief do not involve epistemic culpability in the relevant sense, we might now have a different motivation for the doxastic morality approach. We need to retain the idea that people who are targeted by prejudiced belief can be wronged, and should accordingly be empowered to seek moral and legal redress. Moreover, this is so irrespective of the question of whether the people who hold the prejudiced beliefs are wrong (in

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<sup>23</sup> See, for instance, Fricker (2007: 22, 42).

epistemic terms) to hold these beliefs in the first place. One way to seek to do this would be to hold that beliefs answer to epistemic norms and moral norms independently. Therefore, the verdict that the prejudiced person is epistemically blameless tells us nothing about whether he can be held to moral account.

While I am skeptical of the idea that we can articulate moral norms for belief directly, I nonetheless agree that the application of our concept of moral responsibility does not depend on the application of the concept of epistemic responsibility. On the view that I have articulated, the question of whether some harm constitutes a wrong is just a question of what rights people have to be protected against such harms. It would be a mistake to assume that our ability to find that some harm constitutes a wrong depends on our ability to identify an epistemically blameworthy perpetrator. Given the highly non-ideal contexts in which many people are required to exercise their epistemic agency, there is just no reason to expect such close tracking between individual epistemic responsibility and the suffering of moral harm in the social realm.

How should we approach this issue? How should we conceptualize the idea of (epistemically) blameless wrongdoing, to which a substantial sense of moral responsibility might nonetheless apply? I think the key here lies in recognizing that the term "moral responsibility" expresses a multi-dimensional concept, and that we would do well to distinguish questions of when moral blame is appropriate from the question of when agents can be held morally liable for the consequences of their actions. It might well be that conditions for moral blame depend on the agent's epistemic situation.<sup>24</sup> But the question of whether someone has been wronged by my action, and whether I can accordingly be held responsible for the harm, does not.

Luckily, there is no need to start from scratch in articulating this point. Instead, we can draw on conceptual resources developed in adjacent discourses. Consider, for instance, the diverging conceptions of responsibility expressed in criminal law and in tort law. Roughly speaking, criminal law is centered on the wrongdoer, and is structured around the ascription of *mens rea* – a guilty mind. This legal notion provides a clear analogy to the philosophical claim that moral culpability is conditioned on epistemic culpability. By contrast, tort law is centered on the rights of the victim, and stipulates that people may be held responsible for harms they have caused regardless of their epistemic situation.

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<sup>24</sup> Why should we even be willing to withhold moral blame in these cases? I will return to this question below.

As an illustration, we can look at how criminal law typically approaches harms imposed in self-defense.<sup>25</sup> Say one initiates defensive action against a person one believes to pose a serious and immediate threat to oneself: that action, or specifically, the harm that flows from that action, is paradigmatically justified only if the person is *in fact* posing such a threat. This raises the question of what happens if one has misjudged the situation, and the person was not, in fact, posing such a threat. In that case, one’s self-defensive action might still be *excused*, but only if one’s assessment of the threat was justified in light of the available evidence. The prevailing standard for invoking an excuse under criminal law, then, is to concede that one was wrong, but to maintain that one was nonetheless epistemically justified in believing one was in the right.<sup>26</sup>

But there is more to be said. For while one’s ability to invoke an excuse may exempt one from *criminal prosecution*, it doesn’t thereby exempt one from *all* kinds of legal liability. To the contrary, tort law stipulates that one may still be liable for compensating for the harms that one’s actions have caused.<sup>27</sup> These diverging notions of the grounds for liability testify to importantly diverging conceptions of responsibility for harm. Unlike criminal law, tort law fully permits that a liable party could be acting reasonably in light of the evidence available to him. These are, nonetheless, complimentary rather than competing notions of responsibility. In brief, whereas criminal law is a tool for rebuking wrongdoers, tort law is a tool for vindicating the rights of victims. As one scholar has recently put it: “tort law identifies *relational, injurious* wrongs, and enables victims of such wrongs to demand responsive conduct from those who have injured them” (Goldberg 2015: 470). Accordingly, tort law is “in the business of empowering those who are wronged [...], rather than punishing those who commit crimes” (ibid.: 503). This is precisely the notion that I have argued goes missing from Fricker’s account of the distribution of rights and responsibilities following harm from blameless prejudice. That is to say, those who are harmed by our actions have a rightful claim, say, to equal consideration, which, when it is systematically undermined by prejudice, can amount to a claim of justice. In such a case, we owe it to the victim to reverse the harm or compensate for it in other ways.

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<sup>25</sup> Cf. the Model Penal Code, 3.04, 3.09.

<sup>26</sup> Some of the relevant legal literature (e.g., Greenawalt (1984); (1986); Gardner (2007)) is somewhat hampered by the hope of finding a unifying characteristic to distinguish a very broad range of excusing conditions – including intoxication and incapacitation – from the legal category of justification. By contrast, my discussion here is more narrowly focused on a particular kind of excuse, namely that which proceeds from a claim about blameless belief.

<sup>27</sup> Cf. Botterell (2009: 176); Goudkamp (2013: 82-83). See also Goldberg (2015) for a broader overview of the status of excuses in tort law.

Alleging that one was epistemically blameless, or even justified, in holding one's beliefs in no way undermines this dimension of responsibility.

So, if one motivation for the doxastic morality approach stems from resistance to the emerging view that the application of our concept of moral responsibility is dependent on our prior application of the concept of epistemic responsibility, then I think we can meet that motivation without holding that moral norms exert direct pressure on belief. Whether or not I can wrong someone merely by holding certain beliefs about them (which I have disputed above), we should have no problem accounting for the fact that the question of whether I have wronged someone by my action is independent of the question of whether I am epistemically culpable for holding the belief that caused the action in the first place.

It is possible, of course, that this moderate view does not fully capture the motivations behind the doxastic morality approach. Here is how: if there are moral norms operating directly on belief, in full independence of any epistemic norms, then finding that someone's belief is epistemically justified should provide no apparent reason for holding back even the full force of moral blame.

But is this a view that we should hold? Does one's epistemic situation provide *no* moral excuse for holding the belief in question? I think it can provide such an excuse. Prejudice is rarely the contrivance of individual minds. Instead, it tends to spread in predictable ways through peer networks, reinforced by formal and informal institutions with associated structures of authority. As such, widespread prejudice will tend to shape what it is rational for people to believe. As social epistemologists, we have come to reckon with the profoundly important role of socio-epistemic affordances in shaping one's overall intellectual character and outlook. And in general, I think, we will want to make room for the idea that people who grow up in deeply prejudiced social settings, with no rational access to contrary evidence, should in some sense be counted as victims too.<sup>28</sup> Here, then, are some people who have had the peculiarly bad luck of growing up in a severely constrained socio-epistemic environment. Holding them morally blameworthy for the predictable consequences of their limited epistemic opportunities is to compound their plight.

There is a real worry here that the doxastic morality approach is running a risk of moral overreach: by inviting the stance that holders of blameless prejudices are generally morally accountable

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<sup>28</sup> For a fuller account of how testimony can preclude rational access to contrary evidence, see Begby *MS*α**.

in both dimensions – liable for rectifying the harms that their actions have caused *and* morally blameworthy for holding the beliefs in the first place –, it fails to make room for considerations of moral and epistemic luck.<sup>29</sup> In the decidedly non-ideal epistemic contexts that I have described, subjects may lack, through no fault of their own, the fair opportunity to avoid wrongdoing. And in my view, these contextual factors should be reflected in how we end up treating these subjects, both as epistemic and as moral agents. But to emphasize, this in no way settles the question of whether you have wronged me by your conduct: all that is entailed is that your wrongful conduct does not necessarily reveal that you are a bad person. Far from being too lenient, I actually think that this is a potentially liberating and empowering thought: far too often, victims of discrimination are faced, tacitly or expressly, with having to make the case that their victimizers are bad people. But we can now see why their claim should in no way depend on this. Quite simply, commonly heard third-party interventions such as “I’m sure he didn’t mean to” are entirely immaterial to the question of whether you have wronged me by your action, and whether you can be held morally responsible for reversing the damage.

## 5. A moderate picture

Here’s what seems right to me. In the ordinary case, we care what people believe about us because of the way that their beliefs stand to affect us through actions. As mediated through actions, prejudiced beliefs (to stay with our example) can cause significant harms, tantamount to wrongs. But ultimately it is the actions that we should focus on for the purposes of moral assessment, as is suggested by cases where someone successfully resolves to provide fair treatment to everyone, irrespective of his beliefs about them.<sup>30</sup> Note that this is fully compatible with the recognition that where discrimination does occur, effective strategies for combating it must also address underlying the cognitive causes.

In my view, the idea that beliefs can constitute wrongs in their own right, as opposed to merely causing us to act wrongly, risks overshooting its goal, even as the goal is perfectly legitimate and indeed philosophically laudable. Imagine, if you will, an alien species arriving on earth long after we have

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<sup>29</sup> Cf. Holly Smith (1983).

<sup>30</sup> For the record, I don’t think such cases are far-fetched: Jones is a graduate student in math, who has been hired to grade assignments for a first-year calculus class. He firmly believes that women are less adept than men at mathematical reasoning. Yet precisely for that reason, he implements a scrupulous policy of anonymous grading. Unless we add further, incriminatory detail to the story, it’s hard to see how Jones has wronged any of his female students.



moved on to some other planet. They find extensive historical records of our earthly affairs. For some peculiar and entirely irrational reason, they are particularly abhorred by the idea of red-haired people, and form the clearly prejudiced belief that red-haired people must be of low intelligence and dubious moral character. Have the red-haired people, now residing somewhere else in the solar system, been wronged by our alien species? Their prejudiced beliefs might of course *cause* them to perpetrate wrongs on red-haired people down the line, were they ever to have an opportunity to interact. But it's hard to see how the belief could constitute a wrong in its own right.

Alien fantasies are far-fetched, of course. We tend to think differently about humans, bound as we are by a common morality. But I would argue, this common morality is not primarily a matter of our sharing a common humanity,<sup>31</sup> but of our standing in causally mediated relationships to each other, either directly in personal relationships, or by participating in shared institutions, competing for our fair allotment of limited resources and opportunities. Admittedly, cases where we do stand in deep, personal relationships to each other, relationships sustained by a sense of trust and care, are harder to judge: maybe, for instance, Basu and Schroeder (Ms: 2) are correct to claim that someone who, on limited evidence, comes to believe of an intimate partner that she has fallen off the wagon, has thereby wronged her partner, whether or not this belief is ever expressed in word or deed.

These cases are hard to judge, in part because it's hard to know how far the example generalizes: maybe it is an artifact of this kind of intimate relationship that it generates a specific moral obligation not to believe bad things about the other without good reason.<sup>32</sup> Our relationship is founded on trust, and trust is a cognitive attitude. By believing as you do, you are undermining that trust, and are thereby jeopardizing the relationship that we have both made significant emotional and material investments in. (In fact, if you do believe such things about me, it would probably be better if your belief did manifest in word or deed, so that I could have an opportunity to persuade you otherwise, or, failing that, to reassess the terms of our relationship.)

In other cases, where the relationship is thinner, indirect, or altogether non-existent, it is significantly harder to generate conviction around the idea that we have specific, morally grounded claims on the cognitive lives of others. Here, I think our moral claims are best understood as attaching directly to actions, and only indirectly to beliefs. Nonetheless, the link between belief and action can

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<sup>31</sup> After all, we don't want to rule out, a priori, that we can stand in similar relationships to non-human animals, or, for that matter, to the aliens.

<sup>32</sup> Or as even, Sarah Stroud (2006) and Simon Keller (2004) have argued, to believe such things on *good* evidence.

be subtle, and to get it into proper focus we must consider it in a significantly broader way than we have become accustomed to: we can be held morally accountable not only for our overt intentional actions, but also for a wide range of behaviors whose moral significance has tended to fall below the philosophical radar, but which nonetheless stand in causal and explanatory relations to our beliefs. Once we get this suitably amended notion of action into proper focus, I think that the guiding motivations behind the doxastic morality approach can be properly captured in a view which holds, with the tradition, that belief is the exclusive remit of epistemic norms, and that moral norms bear on belief only indirectly, through its connection with action.

### **Acknowledgments:**

In preparing this paper, I have benefited greatly from discussions with Holly K. Andersen, Rima Basu, Sarah Moss, Dana Nelkin, Evan Tiffany, Kelsey Vicars, and Caroline von Klemperer. Funding for this project is provided by SSHRC Insight Development Grant 430 2016 0460.

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