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978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

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LIVING WITH UNCERTAINTY

Every choice we make is set against a background of massive ignorance about our past, our future, our circumstances, and ourselves. Philosophers are divided on the moral significance of such ignorance. Some say that it has a direct impact on how we ought to behave – the question of what our moral obligations are; others deny this, claiming that it only affects how we ought to be judged in light of the behavior in which we choose to engage – the question of what responsibility we bear for our choices. Michael Zimmerman claims that our ignorance has an important bearing on both questions, and offers an account of moral obligation and moral responsibility that is sharply at odds with the prevailing wisdom. His book will be of interest to a wide range of readers in ethics.

MICHAEL J. ZIMMERMAN is Professor of Philosophy at the University of North Carolina at Greensboro. His publications include *The Concept of Moral Obligation* (1996, 2007), also in the Cambridge Studies in Philosophy series.

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CAMBRIDGE UNIVERSITY PRESS

Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, Delhi

Cambridge University Press

The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.orgInformation on this title: www.cambridge.org/9780521894913

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First published 2008

Printed in the United Kingdom at the University Press, Cambridge

*A catalogue record for this publication is available from the British Library**Library of Congress Cataloguing in Publication data*

Zimmerman, Michael J., 1951-

Living with uncertainty : the moral significance of ignorance /
by Michael J. Zimmerman.

p. cm. – (Cambridge studies in philosophy)

Includes bibliographical references and index.

ISBN 978-0-521-89491-3 (hardback)

1. Ethics. 2. Ignorance (Theory of knowledge) 3. Uncertainty.
- I. Title. II. Series.
- BJ37.Z49 2008
- 170'.42-dc22
- 2008019564

ISBN 978-0-521-89491-3 hardback

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Preface

Ours is an uncertain world. Every choice we make, every decision we reach, is set against a background of massive ignorance about our past, our future, our circumstances, ourselves. This, ironically, is something that we know all too well.

Ignorance is ignorance of facts. It is a failure to know what is true. To know what is true, one must believe it (something that involves having a certain level or degree of confidence in it) and do so with adequate justification. Thus ignorance can come about in one of two ways: either by way of failure to believe the truth or by way of believing it without adequate justification. There are two corresponding kinds of uncertainty: doxastic uncertainty, which consists in one's lacking full confidence in a proposition, and epistemic uncertainty, which consists in one's lacking justification in having full confidence in a proposition. Although not all uncertainty entails ignorance – one can know a proposition regarding which one is either not fully confident or not justified in being fully confident – all ignorance entails uncertainty of one or both kinds.

Philosophers are divided on the moral significance of the ignorance that besets us. Some say that it has a direct impact on how we ought to behave; others deny this, claiming that it only affects how we ought to be judged in light of the behavior in which we choose to engage. Until recently, I sided with the latter. I now side with the former. My thinking was changed by a simple thought-experiment proposed by Frank Jackson. It involves a physician, Jill, and her patient, John. (To be honest, I had been familiar with the case for quite some time – several years, in fact – before its insight and power dawned on me. My hope is that readers of this book will be considerably less obtuse.) John is suffering from a minor but not trivial skin complaint. Jill has three drugs with which she might treat him: A, B, and C. All the evidence at her disposal indicates, in keeping with what is in fact the case, that giving John drug B would cure him partially and that giving him no drug would leave him permanently incurable; it also indicates that one

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of drugs A and C would cure him completely while the other would kill him, but it leaves completely open which of them would cure and which kill.¹ What ought Jill to do?

You are supposed to answer: “She ought to give him drug B.”

Jackson says that this answer is obvious, and I think he’s right. (That is, it’s obvious, given the proviso that “all else is equal.” This is just a thought-experiment, after all. As such, it is of course idealized and simplistic, but that is precisely what makes it so instructive. As John Fischer has observed, such “streamlining,” such abstraction and schematization in moral reflection, is the analogue of conducting a controlled experiment in science: in holding all other factors fixed, one can test a particular factor for its moral significance.² The factor tested here is Jill’s ignorance regarding the outcome of giving John either drug A or drug C.) I strongly suspect that you think that Jackson is right, too. However, some people I know, including some friends whose judgment I normally hold in high regard, claim that he’s not right about this. They say that what Jill ought to do is give John whichever of drugs A and C would cure him completely. I don’t believe they mean what they say. Under the circumstances, giving John either of these drugs would surely be far too risky. And my friends know this. Being conscientious people, they would not run such a risk, were they to find themselves in Jill’s position. They would give John drug B without hesitation. Their behavior would betray what they really thought, namely, that it would be wrong to treat him in any other way.

That it would be wrong to run the sort of risk associated with not giving John drug B has profound implications. This book explores some of these implications. I begin in chapter 1 by distinguishing, in section 1.1, three views regarding the general nature of overall moral obligation: the Objective View, the Subjective View, and the Prospective View. According to the Objective View, our overall moral obligation is always to choose that option that would *in fact* be best under the circumstances. In the case of Jill and John, that would mean that Jill ought to give John whichever of drugs A and C would cure him completely; she ought *not* to give him drug B. According to the Subjective View, our overall moral obligation is always to choose that option that we *believe* would be best

¹ Jackson 1991, pp. 462–3. Some details of Jackson’s original case have been slightly altered. A case with similar features may be found on pp. 264–5 of Regan 1980. I am embarrassed to report that I read these pages long before I read Jackson’s article, and yet their import was entirely lost on me.

² Fischer 1995, p. 10.

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under the circumstances. In the case of Jill and John, that would mean that Jill ought to give John whichever of drugs A, B, and C she happens to believe would be best for him. Some philosophers (notably H. A. Prichard and W. D. Ross) have defended the Subjective View. I discuss and argue against this view in sections 1.2 and 1.3. Many philosophers have defended the Objective View, but I argue against it in section 1.4 because of its verdict in Jackson's case. In place of the Objective and Subjective Views I propose that we accept the Prospective View, according to which our overall moral obligation is always to choose that option that is *prospectively* best under the circumstances. I point out that this doesn't mean that we ought to choose that option that is *probably* best; after all, in Jackson's case giving John drug B is *certainly not* best, and yet that is what Jill ought to do. Rather, the prospectively best option is that which, from the moral point of view, it is *most reasonable* for the agent to choose – which is precisely what Jill's giving John drug B would be, since her giving him either drug A or drug C would be *too* risky. (Under other circumstances, of course, running a risk can be perfectly reasonable. Indeed, not running a risk can be unreasonable.) In sections 1.5 and 1.6 I develop and defend the Prospective View. I note that what constitutes the best prospect for an agent is determined by the evidence available to him or her at the time; it is a function of the epistemic uncertainty with which the agent is confronted. I note, too, that such uncertainty can extend not just to empirical matters, such as what the effects of giving John a certain drug would be, but also to evaluative matters, such as how to evaluate the effects of giving John a certain drug. Thus the best prospect is not necessarily that option that maximizes expected value (in that common sense of "expected value" which is a function only of uncertainty regarding empirical and not also of evaluative matters). Rather, what constitutes the best prospect is a question of what maximizes what I call "expectable value." This point has some important implications, among which is the fact that, due to badly distorted evaluative evidence (the product, perhaps, of a skewed upbringing), a person could be overall morally obligated to commit great evil. I end the chapter in section 1.7 by distinguishing the matter of risking doing *harm* from that of risking doing *wrong*, and I address the issue of how best to respond to the worry captured in the question "What ought I to do when I don't know what I ought to do?"

I turn in chapter 2 to the matter of *prima facie* moral obligation and the related issue of moral rights. In section 2.1 I provide a formulation of the Prospective View that accommodates both *prima facie* and overall

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obligation, and then, in section 2.2, I discuss how rights are to be accounted for in light of this formulation. Given that our overall moral obligation is to choose that option that is the best prospect under the circumstances, which is itself in part a function of the evidence that is available to us; and given that this overall obligation is determined by the relative weights of the various prima facie obligations that we have; and given, finally, that whatever rights others hold against us are correlative to at least some of these prima facie obligations, it follows that the rights that others hold against us are themselves in part a function of the evidence available to us. This fact has far-reaching and, in some ways, subversive implications. I explore some of these implications in sections 2.3 and 2.4, in which I discuss, respectively, the question of what rights people hold against us when we borrow something from them and the question of whether and when it is justifiable to kill someone in self-defense. Tracing these implications is a way of testing the credentials of the Prospective View. I claim that, although some of the implications may be somewhat surprising, the Prospective View nonetheless passes the tests. I also claim that the commonly accepted judgment that killing in self-defense can be justifiable in certain circumstances in which one's life is imperiled by another lends further support to the Prospective View, independently of that provided by Jackson's case.

In chapter 3 I attend to the matter of developing the Prospective View in detail. I begin in section 3.1 by rehearsing a debate that has taken place recently within the camp of those who subscribe to the Objective View. This debate has to do with the implications of future failings for present obligation. Should we accept or reject the thesis that what we ought now to do is determined in part by whether we will in fact fail to do what is best, when it is in our power to avoid such failure? Actualists say that we should accept the thesis, whereas Possibilists say that we should reject it. Many accept the Actualists' verdict, but I point out that it is in some ways objectionable and is, furthermore, based on a rationale that is deeply flawed. Possibilism, by contrast, is very attractive; it has a structure that permits the resolution of many so-called deontic paradoxes. Yet the verdict regarding future failings that unqualified Possibilism furnishes is in some cases unreasonable. In sections 3.2 and 3.3 I develop a qualified version of Possibilism that preserves its attractions while avoiding this troublesome verdict; this version is, of course, given in terms of the Prospective View, and what emerges is a precise formulation of that view. In section 3.4 I extend this formulation to cover conditional as well as unconditional obligation, prima facie as well as overall obligation, and yet other modes

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of obligation. So formulated, the Prospective View implies, among other things, that “ought” implies “can.” In section 3.5 I discuss the relation between obligation and control (the sort of control that, in the present context, “can” expresses), and in section 3.6 I defend the thesis that “ought” implies “can” against what I take to be the most serious charge against it: that it lets people off the hook in cases in which they render themselves unable to fulfill their obligations. I argue that, by attending to the way in which obligations can shift over time, this charge can be defused. Not only that, but accounting for such shifts affords us a deeper understanding of the nature of moral obligation. For example, it turns out, perhaps surprisingly, that we can fail to fulfill an obligation without infringing it, that is, without doing wrong by virtue of failing to fulfill it. It also turns out, really quite surprisingly, that we can infringe an obligation and yet fulfill it.

Finally, in chapter 4, I turn from a discussion of moral obligation to a discussion of moral responsibility. The term “responsibility” can be used in a forward-looking sense, in which case it is synonymous with “obligation,” but it can also be used in a backward-looking sense to refer to our present responsibility for things that have happened in the past. It is with this backward-looking sense of the term that I am concerned. It seems often to be assumed that one is morally responsible for having done something if and only if one had a moral obligation not to do it that one did not fulfill. This thesis, which I discuss in section 4.1, is false. It overlooks excuses, which involve wrongdoing without responsibility, and it also overlooks what I call “accuses,” which involve responsibility without wrongdoing. The possibility of excuses is commonly recognized, that of accuses not so commonly recognized. In section 4.2 I investigate the conditions under which ignorance affords an excuse. I focus on that sort of ignorance that is constituted by the failure to believe that what one is doing is wrong. (The emphasis has thus shifted from epistemic uncertainty in the first three chapters to doxastic uncertainty in this chapter.) I argue that such ignorance affords an excuse far more often than is commonly supposed, and that this has important implications for our reaction to wrongdoing – in particular, for our practice of punishment. In section 4.3 I argue that accuses are indeed possible and that this, too, has important implications for our reaction to the absence of wrongdoing – in particular, for our habit of terminating our moral inquiries when we discover that no wrong has been done. I end with a cautionary note: we should be skeptical of the accuracy of our everyday ascriptions of responsibility.

The upshot of my investigation is that a wholly “objective,” actual-outcome oriented approach, of the sort advocated by many philosophers,

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to either moral obligation or moral responsibility is badly misguided. The correct approach to moral obligation is captured by the Prospective View. The correct approach to moral responsibility is captured by the strongly “subjective” view that such responsibility turns at bottom, not on whether we have actually done right or wrong, but on whether we believed we were doing right or wrong. The rejection of a wholly objective approach to either obligation or responsibility has, I think, profound implications for the way in which we lead – or, rather, should lead – our lives. I have in mind the ways in which we deal with and react to others both in informal social settings and through the formal mechanisms of the law. I pursue some of these implications in the pages that follow, but providing a comprehensive account of them is the subject of at least one other book and is thus a task that I do not undertake in this one.

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Acknowledgments

I am very grateful to the following people for help and advice on precursors of various portions of this book: Robert Adams, Gustaf Arrhenius, Simon Blackburn, Johan Brännmark, John Broome, Krister Bykvist, Åsa Carlson, Erik Carlson, Sara Rachel Chant, Randy Clarke, Roger Crisp, Sven Danielsson, Julia Driver, Daniel Elstein, Fred Feldman, John Fischer, Rick Gallimore, Pieranna Garavaso, Heather Gert, Jonas Gren, Ish Haji, Ross Harrison, Tom Hill, Brad Hooker, Magnus Jiborn, Jens Johansson, Janine Jones, Niklas Juth, John King, Andreas Lind, Ruth Lucier, Doug MacLean, Hans Mathlein, Terry McConnell, Matt McGrath, David McNaughton, Joseph Mendola, Jim Montmarquet, Ragnar Ohlsson, Jan Österberg, Ingmar Persson, Tomasz Pol, Jerry Postema, Robert Pulvertaft, Wlodek Rabinowicz, Toni Rønnow-Rasmussen, Gary Rosenkrantz, Joakim Sandberg, Julian Savulescu, Geoff Sayre-McCord, Walter Sinnott-Armstrong, Torbjörn Tännsjö, Peter Vallentyne, Rebecca Walker, Ralph Wedgwood, Paul Weirich, Susan Wolf, and David Wong.

During the writing of this book I received financial support, for which I am also very grateful, from the National Endowment for the Humanities.

Finally, I am grateful for permission to draw upon portions of the following articles of mine, recorded in the list of references as Zimmerman 1995 (© 1995 the University of Notre Dame Press), 1997a (© 1997 The University of Chicago), 1997b, 2002a (© Blackwell Publishing Inc.), 2006a (© 2006 Cambridge University Press), 2006b, 2006c (© Springer Science and Business Media), 2006d (© 2006 Ashgate Publishing Ltd.), 2006e (© Springer Science and Business Media), and 2006f.