

The Epistemic Condition

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0. Introduction

While the contemporary philosophical literature is replete with discussion of the control or freedom required for moral responsibility, only more recently has substantial attention been devoted to the knowledge or awareness required, otherwise called the epistemic condition.^{1, 2} This area of inquiry is rapidly expanding, as are the various positions within it. This chapter presents one way of carving up the territory and framing these positions, while highlighting advantages and challenges for each. It closes by sketching a novel approach that incorporates advantages of otherwise opposing positions on this topic.

Although the epistemic condition is associated with awareness, it's helpful to begin with an observation about ignorance. Competing explanations of this observation in turn have divergent implications for the epistemic condition.

1. When Does Ignorance Excuse?

Tamias is a bookkeeper for a seemingly innocuous shipping company, unaware that his work helps conceal the company's human trafficking operation. Given his ignorance, is he to blame for his role in human trafficking? It depends. Compare two variants. Tamias₁'s work behind the desk never reveals the slightest indication of the evils perpetrated by his employer. If so, it seems he's off the hook. Tamias₂ notices designations of items in his spreadsheets that seem suspicious. It occurs to him that his company may be smuggling something (though he wouldn't dream of anything so horrific as the truth), but he pushes the thought out of his mind, preferring not to investigate any further. In that case, he's plausibly blameworthy for complicity in human slavery—though perhaps not *as* blameworthy as if he were aware of the true nature of his work.

Whether an agent is blameworthy for ignorant wrongdoing depends upon the status of their ignorance. Most theorists agree on the following:

Blameless Ignorance Principle (BIP): If an agent is blameless for their ignorance then they are blameless for acting wrongly from that ignorance.^{3, 4}

BIP implies that, since Tamias₁ is blameless for his ignorance, he is blameless for his complicity in human trafficking. But since Tamias₂ is (we may suppose) blameworthy for his ignorance, it doesn't excuse him.⁵ BIP invites two questions. First, why does blameless ignorance excuse? Second, when is someone blameless for their ignorance? Some theorists answer these questions by appealing to the following principle:

Reasonable Expectation (RE): An agent is blameworthy for something only if it was reasonable to expect the agent to avoid it.^{6,7}

RE theorists standardly maintain that it's reasonable to expect an agent to avoid something only if they have the capacities to recognize and respond to moral reasons as well as the opportunity to exercise these capacities to avoid the thing in question. Having this sort of opportunity in turn may require having access to evidence, exposure to alternative points of view, and adequate time to reflect upon the relevant features of one's situation. A common motivation undergirding RE is that blameworthiness depends upon whether it would be fair to blame someone, and that it would be fair to blame someone for something only if they could have reasonably been expected to avoid it (Rosen 2003: 79, FitzPatrick 2008: 603).

On RE, then, blameless ignorance excuses because it's unreasonable to expect someone to have avoided behaving wrongly if they blamelessly believed that their behavior was permissible (Rosen 2003: 74-75). An agent is blameless for their ignorance if they lacked the capacity or opportunity to avoid being ignorant. This presents an explanation of the above cases: while Tamias₂ can reasonably be expected to have discovered the true nature of his work by following the evidence, this isn't true of Tamias₁.

An alternative approach begins with the following principle:

Quality of Will (QW): An agent is blameworthy for something if and only if it manifests a negative quality of will.^{8,9}

QW theorists see blame as an appropriate response to an agent based on their quality of will, understood in terms of their regard or concern for others. Whereas good will involves moral concern for others (e.g., a desire to prevent harm, a belief that someone's interests matter), a negative quality of will involves a lack of concern (e.g., indifference toward someone's well-being, a desire to harm, a belief that someone's interests are unimportant).

On QW, blameless ignorance excuses because it precludes the manifestation of negative quality of will. Tamias₁'s ignorance isn't due to a lack of concern for the people trafficked by his company. Consequently, his ignorance and unwitting behavior cannot reflect any such attitude. In contrast, even if Tamias₂ is unaware of his role in human slavery, his ignorance is due to a deficit of concern for possible wrongdoing (and those who might be harmed by it), and his continued work for the company reflects this. If so, QW implies that he's blameworthy for his ignorance and unwitting wrongdoing.

The fact that RE and QW often have overlapping implications can obscure their underlying differences. Sections 2 and 3 explore two dimensions of epistemic condition that serve as fault lines along which RE and QW diverge. The first concerns different kinds of ignorance. The second concerns what agents can be directly blameworthy for.

2. Two Kinds of Ignorance

Sometimes ignorance of the wrongness of one's behavior is due to ignorance of some feature that makes it wrong. This is called *circumstantial ignorance*. Tamias, for example, is ignorant that his work helps conceal human trafficking. A doctor might fail to realize that prescribing a medication is wrong because they're unaware of a contraindication. I might not realize that I shouldn't share a story publicly because I wasn't informed of its confidentiality.

Other times agents are ignorant of the wrongness of their behavior because they are unaware that its wrong-making features (taken together) are wrong-making. This is called *moral ignorance*.¹⁰ Take an historical variant of our bookkeeper. Tamias₃ is an ancient Greek who manages finances for a slave-trader. He's fully aware of this, but given his cultural setting, he (like everyone else he knows) believes that slavery is morally permissible.¹¹ Can his moral ignorance excuse him?

2.1 Moral Ignorance and Reasonable Expectation

If BIP is true, then agents like Tamias₃ are excused for morally ignorant behavior if they're blameless for their moral ignorance. And RE seems to imply that they can be. First, Tamias₃ may lack opportunities to remedy his ignorance. He may, for example, be unlikely to encounter a dissenting opinion that would make him reconsider. Furthermore, even if he were to reflect upon his belief about slavery, his general framework of beliefs about rights and obligations may simply reinforce his ignorance. Similar considerations plausibly apply to countless racists, sexists, and warlords of the past. Given the ubiquitous and unquestioned acceptance of certain beliefs in their cultures, it's unlikely such agents had the wherewithal or opportunity to avoid moral ignorance (Wolf 1987, Rosen 2003).¹² If so, RE has the implication that Tamias₃ and other historical agents are blameless both for their moral ignorance and unwitting wrongdoing.

Contemporary instances of moral ignorance, however, are often not due to a lack of opportunities to avoid it. Take a twenty-first century racist who has regular exposure to articulate presentations of egalitarianism (and devastating critiques of racism) but who nevertheless refuses to reconsider his racist beliefs. Or consider a ruthless business executive who crushes her rivals through deception and force, rebuffing the efforts of those who try to confront her on the matter ("if you can't stand the heat...", she snaps back).¹³ Lastly, consider complacent consumers who avoid watching persuasive documentaries on the evils of factory farming because they don't think they need to listen to bleeding heart activists. The above agents arguably have the capacity and opportunities to eliminate their ignorance, even if they don't believe they're obligated to take these opportunities. And, if their failure to do so is the result of epistemic vices like arrogance, laziness, or stubbornness, this may hardly seem to excuse them. On these grounds, some argue that many morally ignorant agents can reasonably have been expected to have taken these opportunities, eliminated their moral ignorance, and thus avoided acting from it (FitzPatrick 2008: 605).

Some RE theorists set a higher bar for reasonable expectation, maintaining that agents are blameworthy only if (at some point) they behaved contrary to their own belief about what they ought to do (Zimmerman 1997: 418, Rosen 2004: 307, Levy 2009: 735). Call this the *akrasia requirement*. One argument for this requirement is that it's reasonable to expect an agent to ϕ only if the agent can ϕ rationally (rather than by chance or accident). Furthermore, the relevant sense of rationality concerning reasonable expectation is *internalist*: what's rational for an agent is a function of their own beliefs and

attitudes, rather than objective reasons. An agent can ϕ rationally in this sense only if they see a sufficient reason to. It follows that, if the ruthless business executive (or racist, or factory farming consumer) fails to see sufficient reason to reconsider their beliefs (and supposing they're not blameworthy for *this* fact) then they cannot do so rationally, and thus cannot reasonably be expected to (Levy 2009: 735).¹⁴ If this argument is correct about the standards of reasonable expectation, then adopting RE may require a revision to our beliefs concerning *how often* agents are blameworthy for ignorant wrongdoing. We'll revisit this concern in Section 3.

2.2 Moral Ignorance and Quality of Will

In contrast, QW theorists reject the view that moral ignorance can excuse in the way that circumstantial ignorance can (Harman 2011, 2022; Talbert 2013, Arpaly 2015). While circumstantial ignorance often precludes behavior from reflecting negative quality of will, moral ignorance seems to involve it.¹⁵ Consider that Tamias₃ has no moral objection to the treatment of human beings as commodities, or that the business executive feels entitled to destroy the economic fortunes of her rivals. These agents' attitudes *themselves* reflect a lack of concern for the rights and well-being of others. And if QW is correct, then it simply doesn't matter whether they could have reasonably been expected to see any reason to refrain from their behavior—their negative quality of will is sufficient for blameworthiness for their moral ignorance and ignorant behavior.

Indeed, QW might have a more sweeping implication. If an agent is aware of the wrong-making features of their behavior (e.g., that it causes unnecessary suffering) yet fails to recognize that these features make their behavior morally wrong, this seems to reflect insufficient concern for what matters morally. If Tamias₃ cared enough for the rights and interests of the slaves, then presumably he wouldn't think slavery is permissible. If this can be generalized, then QW implies that morally ignorant wrongdoers of the past and present (racists, sexists, ruthless business executives, factory farming consumers, and more) are *always* blameworthy for their moral ignorance, and therefore that it cannot excuse them from morally ignorant wrongdoing (Harman 2011; 2022).¹⁶ As we'll see more clearly in Section 3, adopting QW may force us to revise our beliefs about the *requirements* on blameworthiness for ignorance and ignorant wrongdoing.

3. Direct and Derivative Blameworthiness

If Tamias₂ is blameworthy for his unwitting role in human trafficking, that's partly because he is blameworthy for something else: his ignorance. This introduces an important distinction. When an agent is blameworthy for something (at least partly) in virtue of being blameworthy for something else, their blameworthiness is *derivative*. An agent's blameworthiness for something is *direct* when it is not derivative. Just as the issue of moral ignorance serves as a fault line in this literature, so too does the question of what agents can be directly blameworthy for.

I take for granted the standard assumption that an agent is derivatively blameworthy for something only if they are directly blameworthy for something else (Rosen 2004: 299). Thus, the pervasiveness of blameworthiness for ignorant wrongdoing depends upon whether agents can be

directly blameworthy for it, and if not, what it takes to be derivatively blameworthy for ignorant wrongdoing.

3.1 Reasonable Expectation

3.1.1 RE: Actual Awareness and the Tracing Strategy

If the Blameless Ignorance Principle (BIP) is true, then blameworthiness for ignorant wrongdoing can't be direct but instead derives from blameworthiness for the ignorance itself. Furthermore, many RE theorists hold that, since we lack direct control over what we believe, it's unreasonable to expect someone simply to have or lack a belief. If so, RE implies that:

NDBI: Agents are never directly blameworthy for their ignorance (Zimmerman 1997: 414-415; Rosen 2004: 303; Clarke 2017: 236).

If the reasoning behind NDBI is correct, agents can only be derivatively blameworthy for their ignorance, and in virtue of being directly blameworthy for something over which they have direct control: a prior action (or omission). It follows from the conjunction of BIP and NDBI that an agent can be directly blameworthy only for *witting* wrongdoing, and that blameworthiness for anything else must derive from instances of this.¹⁷

The “tracing strategy” aims to explain how this works. Recall Tamias₂. He is blameworthy for his unwitting complicity in human trafficking because he is blameworthy for his ignorance, and he is in turn blameworthy for his ignorance only if it can be “traced back” to blameworthiness for some prior witting wrongdoing that resulted in it—in this case, his wittingly ignoring evidence of possible foul play.¹⁸ What Tamias₂ is directly blameworthy for, then, is a witting failure to take the required steps to avoid ignorance. These “procedural epistemic obligations” can include gathering and considering evidence, reflecting upon the morally relevant features of one's situation, asking for advice, and exposing oneself to alternative viewpoints (Rosen 2004: 301). Failures to fulfill these obligations are ubiquitous: a doctor failing to check their patient's medical history, a parent ignoring safety instructions on their child's toy, a spouse neglecting to set a reminder for their anniversary, a business executive stubbornly refusing to listen to objections to her ruthless behavior, and so on.

A common feature of these examples is illustrative of a further epistemic requirement on the tracing strategy: in order to trace blameworthiness for ignorance and ignorant wrongdoing, they must have been *reasonably foreseeable* results of the prior wrongdoing. It's reasonably foreseeable for a doctor, for example, that failing to check his patient's chart might result in ignorance of a medical contraindication, and subsequently in a prescription that harms the patient. When something is not reasonably foreseeable for an agent, it's unreasonable to expect them to foresee it, and thus they can't be blameworthy for it (even if they are blameworthy for the wrongdoing that results in it).^{19, 20}

The foreseeability requirement is the target of an objection to the tracing strategy. Consider “Jeff the Jerk”, a teenager seeking social status who engages in behavior that gradually cultivates an insensitivity towards others and eventuates in a particular instance of unwitting rude conduct as an adult (Vargas 2005: 271). Though the particular instance of rude behavior was hardly foreseeable for teenage Jeff, adult Jeff still seems blameworthy for it. In response, some argue that what must be

reasonably foreseeable are certain *types* of outcomes, not specific instances. Accordingly, teenage Jeff could have reasonably foreseen that behaving in certain ways might result in behaving insensitively on some later occasion. And though it wasn't reasonably foreseeable for Tamias₂ that neglecting evidence of possible wrongdoing might result in his unwittingly concealing human trafficking, it was reasonably foreseeable that it might result in unwittingly concealing wrongdoing more generally. If so, the tracing strategy can accommodate such cases (Fischer and Tognazzini 2009: 537-538).

While the previous objection claims that reasonable foreseeability is too strong a requirement, a different objection claims that it's too weak. Given the tracing theorist's own commitments, reasonable foreseeability may be insufficient if it turns out that agents can be blameless for failing to foresee what was reasonably foreseeable for them (e.g., perhaps an agent can fulfill their procedural epistemic obligations without acquiring foresight, or be excused for failing to fulfill a procedural epistemic obligation). After all, if blameless ignorance excuses agents when acting from that ignorance, then it plausibly also excuses agents for bringing about consequences that they were blamelessly ignorant of. If so, then reasonable foreseeability is insufficient for satisfying the epistemic requirement on tracing, and actual foresight is required (Miller 2017). But since there are fewer cases in which ignorance (or ignorant wrongdoing) is actually foreseen, this stronger requirement may have the revisionary implication that we're blameworthy for ignorant wrongdoing less often than we think.

3.1.2 *A Skeptical Argument*

Tracing theorists standardly hold that all blameworthiness for ignorance or ignorant wrongdoing must be traced to an instance of witting wrongdoing. Suppose further, as Gideon Rosen (2004: 307) does, that it must be traced to an akratic behavior (recall the akrasia requirement from Section 2.1).²¹ If so, we can be justified in believing that an agent is blameworthy for unwitting wrongdoing only if we're justified in believing that the agent has behaved akratically at some prior time.

Rosen conjoins these commitments with a skeptical premise: we can never be justifiably confident on any particular occasion whether someone (including oneself) has in fact behaved akratically (307-310).²² To illustrate, suppose an individual believes that they shouldn't lie to their partner, but in the moment convinces themselves that lying on *this* occasion is permissible (e.g., after all, it's a fairly insignificant lie, their partner would be better off not knowing, etc.). When lying, then, they don't act akratically. Or suppose I consider reasons for and against an action, but decide to act on the basis of considerations that favor it without ever coming to a conclusion about what the overall *balance* of considerations favored. If so, then when acting I lack any belief about what I ought to do, and so I don't act akratically (Rosen 2004: 307). And sometimes I may only hold an implicit (non-occurrent) judgment about what I ought to do, and thus it's opaque even to myself what I believe when acting. Even if I do act akratically, I'm not justified in believing I've done so. If considerations like these can apply to all cases of wrongdoing, then Rosen's skeptical premise follows. But if so, and if all blameworthiness must ultimately be traced to akratic behavior, then a skeptical conclusion follows: we're never justified on any particular occasion in believing that someone is blameworthy.

Although QW theorists have responded to Rosen's argument (see below), some of the most influential responses are offered by RE theorists intent on showing that either the tracing strategy (or

RE more generally) doesn't yield such a radical conclusion. Below I canvas three main avenues of response.

First, an RE theorist might reject the skeptical premise. We often seem to have good evidence that we behave akratically. Feelings of guilt or shame during action, and attempts to conceal one's behavior, seem to indicate akrasia (FitzPatrick 2008: 595-596). If so, we're often justified in believing that the akrasia requirement has been met.

Second, some RE theorists reject the akrasia requirement. Philip Robichaud (2014: 142ff) argues that some reasons are sufficient to make an action *rational* without making it *obligatory*. Thus, one can believe that it would be rational to listen to differing views without believing that one is *obligated* to do so. And, it's plausible that agents can be reasonably expected to take such opportunities (thus fulfilling their procedural epistemic obligations) so long as they take themselves to have sufficient reason to do so.²³

The view sketched in Section 2.1 offers another route to deny the akrasia requirement. While blameworthiness for certain instances of ignorant wrongdoing may derive from earlier acts, perhaps these earlier acts themselves needn't be akratic. Perhaps the business executive can be blameworthy for her unwitting wrongdoing in virtue of being blameworthy for failing to take prior available opportunities to listen to others, even if these prior failures were also unwitting. If so, tracing may require a terminus that is *either* an instance of akratic wrongdoing *or* an unwitting failure to fulfill procedural epistemic obligations due to epistemic vices (FitzPatrick 2008: 609).²⁴ Notably, both ways of rejecting the akrasia requirement increase the scope of prior acts we can plausibly trace to, and in turn increase instances of derivative blameworthiness for unwitting wrongdoing we can justifiably accept.

The first two lines of response to Rosen's skeptical argument accept some version of the tracing strategy. The third avenue of response rejects that ignorant wrongdoing must be traced to an earlier act at all, maintaining that agents can be directly blameworthy either for their ignorance or their ignorant wrongdoing. Both RE theorists and QW have developed versions of this response, which I discuss in the following two sections.

3.1.3 RE: *Capacitarianism*

Some RE theorists argue that ignorant wrongdoers often could have and should have been aware of some pertinent fact. They were capable, for example, of noticing some morally relevant feature of their behavior, or appreciating the application of some moral principle, or drawing an inference, even if they failed to exercise these capacities. On these grounds, such theorists argue, it's reasonable to expect them to have known better and to avoid unwitting wrongdoing (Sher 2009, Clarke 2017, Rudy-Hiller 2017). If so, then agents can be directly blameworthy either for their ignorance (contrary to NDBI) or ignorant wrongdoing (contrary to BIP).²⁵ Consider George Sher's case in which a distracted Alessandra forgets her dog, Sheba, in a hot car (2009: 24). To be blameworthy for this failure, Sher argues, Alessandra needn't be at fault for any *prior* failure to ensure that she wouldn't forget Sheba. What matters is rather that Alessandra could have and should have remembered Sheba (72ff).²⁶

One clear advantage of this “capacitarian” view is that it captures our intuitions about blameworthiness in cases where it’s implausible that ignorance or ignorant wrongdoing is traceable to some prior action. However, our capacities are not completely reliable. Even conscientious agents sometimes fail to notice what they (in some sense) ought to, or forget a promise they should have remembered, and in general are subject to various mental “slips” (Rudy-Hiller 2019). Furthermore, failures to exercise these mental capacities needn’t reflect any underlying fault with the agent, and may be due primarily to bad luck. Alessandra’s forgetting Sheba needn’t be due to any prior wrongdoing, character flaw, or lack of care, but rather to an unexpected distraction. And it may seem unfair to blame someone for their ignorance or ignorant wrongdoing in such cases. If Capacitarianism nevertheless implies that such agents are blameworthy, this may be problematic for the view.²⁷

3.2 Quality of Will

If QW is correct, then an agent’s ignorance itself may reflect a negative quality of will, and therefore be something for which they are directly blameworthy. We’ve seen in Section 2.2 how this applies to moral ignorance. The same holds for circumstantial ignorance. If I forget my friend’s birthday, for example, this may reflect a lack of care for them (Smith 2005: 236-237). Supposing it does, QW implies that I’m directly blameworthy for my ignorance. Since QW allows that agents can be directly blameworthy for their ignorance, it also implies that blameworthiness for wrongdoing needn’t require awareness (either of the wrong-making features of an action or its moral status) at any point in its etiology. If so, then tracing will often be unnecessary, and Rosen’s skeptical conclusion is avoided.

QW can also explain why some agents seem more blameworthy than others for similar behavior. Someone who bumps into us out of malice is intuitively more blameworthy than one who does so out of carelessness. Or, suppose that two doctors negligently fail to check their patient’s medical chart before prescribing medication. The first fails to check the chart while aware that this failure may result in the patient’s hospitalization or death, while the second fails to check the chart while only considering that this failure may result in some minor harm (e.g., a rash). While both doctors may be blameworthy for the patient’s subsequent hospitalization, it’s intuitive that the first is more blameworthy than the second (Miller 2019: 38-39). QW offers an explanation of these comparisons: the behavior of the first agent in each comparison manifests a worse quality of will, and therefore the first agent is plausibly more blameworthy for their behavior than the second.

Perhaps the chief objection to QW is that it cannot accommodate the conviction that an agent is blameworthy only if it’s fair to blame them. To illustrate, consider four agents who believe that certain humans are fit for slavery. The first agent was raised in an egalitarian society but wittingly cultivated hateful and degrading beliefs about certain individuals that culminated in the belief that they belong in slavery. The second agent acquired the same belief, not by willful cultivation, but by being indoctrinated in a culture where the belief was unquestioned. The third agent began as an egalitarian but was altered via covert brain manipulation to hold this belief. The fourth agent was created instantaneously just a moment ago with this belief. QW implies that each of these agents are blameworthy for their belief. But this seems the wrong result. While agents who believe this are (in

this respect) *bad*, it doesn't immediately follow that it would be fair to *blame* them (Levy 2005, Miller 2014). But suppose we grant that they're all blameworthy. Even so, QW has the further counterintuitive implication that they're *equally* blameworthy for their ignorance, even though the last three had no reasonable opportunity to avoid their beliefs and (at least) the last two played no role whatsoever in acquiring them. Though QW captures our intuitions across a wide range of cases, these implications suggest that it may cast too wide a net.²⁸

4. Sketching a Hybrid View

I'll now put my cards on the table: I favor an RE approach that requires actual awareness for direct blameworthiness. But RE is more explanatorily powerful when conjoined with considerations taken from QW. On this hybrid view, reasonable expectation sets a *threshold* for blameworthiness. This preserves the connection between blameworthiness and fairness (and avoids the counterintuitive implications discussed in Section 3.2). An agent's quality of will can then affect an agent's *degree* of blameworthiness. This accommodates the intuition that an agent's blameworthiness is sensitive to their regard for others.

It's reasonable to expect an agent to avoid wrongdoing only if they are aware of enough of its wrong-making features such that those features (taken together) make the behavior wrong (or if their ignorance of this is traceable to some prior failure with this awareness).²⁹ But sometimes agents don't realize just *how* wrong their behavior is. An agent might recognize, for example, that their behavior is impermissibly risky without realizing how much harm it risks (or how probable the harm is). If so, the agent may not be as blameworthy as they could be. Here quality of will comes into the picture: the greater the awareness that one behaves with, the greater potential for a worse the quality of will manifested in one's behavior. And the degree of quality of will manifested in one's behavior can make a difference to their degree of blameworthiness.³⁰ To illustrate, I offer first a case of direct blameworthiness, and then a case of derivative blameworthiness involving tracing.

When overhearing Bill mention his peanut allergy, Alan sees it as an opportunity to have a good laugh. He sneaks peanut butter into Bill's sandwich, waiting to see if Bill's face "blows up like a balloon" when he bites into it. Alan has no idea, however, that Bill's allergy is deathly serious. Bill bites into the sandwich, has a severe reaction, and is rushed to the hospital (thankfully surviving).³¹

Alan is blameworthy for his action. But he's less blameworthy than if he had known that the peanut butter might kill Bill and did so anyway. The hybrid view accounts for both facts. First, insofar as Alan is aware that his behavior will cause unjustified harm to Bill, the threshold condition is met, and (all else equal) Alan is directly blameworthy for harming Bill. Second, Alan's behavior reflects a lack of concern for (and perhaps ill will toward) Bill, since he's aware that his action will likely cause suffering and embarrassment. But if Alan did this while aware that it might *kill* Bill, that would manifest a more severely callous disregard for Bill's life.³² Since Alan is only aware of a generic wrong-making feature of his behavior (that it will harm Bill in some way or other), his action cannot reflect a callous disregard for Bill with respect to the more specific and serious wrong-making feature (that it might *kill* Bill), and thus he's less blameworthy for doing so than he could be.

The hybrid view has a similar (though more complicated) application to cases of derivative blameworthiness. Return once more to Tamias₂. Since he's blameworthy for his ignorance, then (supposing he has no other excuse) he's blameworthy for his ignorant wrongdoing. If the actual awareness version of RE is correct, then this is because he wittingly failed to fulfill his procedural epistemic obligations by following the evidence. But it also seems clear that Tamias₂ is *less* blameworthy than he would be if he continued to work with full awareness of the human trafficking. What explains this? On the hybrid view, Tamias's greater awareness would have allowed for a greater manifestation of a negative quality of will—in particular, a lack of concern for those trafficked by his company. Since Tamias₂ is in fact unaware of any wrongdoing, the scope of his awareness is limited to the vague possibility that something might be amiss (e.g., smuggling of some sort). Even so, he was aware at the time that ignoring the evidence might result in unwitting complicity in the company's wrongdoing. In this way, his unwitting complicity still manifests a lack of concern, albeit indirectly (by way of his prior awareness of this possibility). But since at no point was he aware of the potential for complicity in the more specific and heinous wrong of human trafficking, his bookkeeping can't manifest a degree of callous indifference with respect to this feature of his unwitting behavior.

5. Conclusion

There are other ways to frame the literature on the epistemic condition.³³ And certain views don't fall neatly into the categories I've laid out.³⁴ Furthermore, each of the views discussed here have more to be said in their defense, and the arguments canvassed here are targets of additional critiques I haven't the space to discuss. For these reasons, I have provided references for further reading where it may be of interest. It's my hope that this chapter offers readers one accessible pathway into this literature, and sufficient signposting to venture further in.

Notes

¹ The requisite awareness may not require knowledge (see note 17).

² For historical treatments, see Aristotle *Nicomachean Ethics* III: 1 and Aquinas *Summa Theologiae* I-II: Q. 76.

³ I set aside cases of uncertainty about the moral permissibility of one's behavior (Guerrero 2007). Agents who behave *from* ignorance (rather than simply *while* ignorant) would have behaved differently were they aware of the wrongness of their behavior (Rosen 2003: 62; Wieland 2017: 152, n. 8).

⁴ Theorists who accept BIP include Rosen (2003: 64, 2004: 300), Fischer and Tognazzini (2011: 390), Zimmerman (1997: 411), FitzPatrick (2008: 601-602), and Levy (2009: 741). Clarke (2017) offers reason to doubt BIP.

⁵ See Holly Smith 2017 for an argument that even blameworthy ignorance excuses.

⁶ Sometimes what's reasonable to expect is that an agent avoid an *omission* to act by performing that action. Thus, it might be reasonable to expect Tamias₂ to have avoided his failure to follow the evidence precisely by following that evidence.

⁷ RE theorists include Gideon Rosen (2003), William FitzPatrick (2008), Neil Levy (2009), John Fischer and Neal Tognazzini (2009), Rik Peels (2011), Randolph Clarke (2017), Philip Robichaud (2014), Elinor Mason (2015), Fernando Rudy-Hiller (2017), and Robert Hartman (2021). Some theorists may take reasonable expectation to also provide a sufficient condition for blameworthiness. One reason to doubt this concerns the possibility (discussed in Section 3.1.1) that reasonable foreseeability is insufficient for blameworthiness for action-consequences, a possibility that may also apply to reasonable expectation.

⁸ QW theorists include T. M. Scanlon (2008, 2015), Angela Smith (2005, 2008), Pamela Hieronymi (2008, 2014), Elizabeth Harman (2011, 2022), Matthew Talbert (2013, 2019), and Nomy Arpaly (2003, 2015). Gunnar Björnsson

(2017) holds a related view. Theorists sometimes referred to as “attributionists” fall under QW insofar as an agent’s quality of will is attributable to them (Talbert 2019). Since QW is a necessary *and* sufficient condition, it may need to be amended to include a *general* capacity to recognize reasons; otherwise it may imply that non-human animals or very young children are often blameworthy (insofar as they manifest a lack of concern for the interests of others).

⁹ QW theorists typically maintain that agents can be blameworthy for their quality of will. To account for this, they could amend QW with a disjunction (“if and only if it is *or* manifests...”) or stipulate that an agent’s quality of will trivially manifests itself.

¹⁰ The terms “circumstantial ignorance” and “moral ignorance” may be misleading since they both involve ignorance that some behavior is morally wrong. Wieland (2017: 150) calls the latter kind “pure” moral ignorance.

¹¹ This variation is modeled after a case offered by Rosen (2003: 64-65).

¹² This claim is bolstered by Rudy-Hiller’s (2023) argument that the relevant capacities are socially constituted. See Moody-Adams (1994), however, for a challenge to the claim in question.

¹³ For a detailed discussion of such a case, see FitzPatrick (2008).

¹⁴ See Clarke (2017: 249-250) for a critique of this argument.

¹⁵ Hartford (2022) argues that, even on QW, epistemic difficulty can mitigate blameworthiness for moral ignorance.

¹⁶ See Wieland (2017), Johnson-King (2020), and Miller (2021) for arguments that moral ignorance doesn’t always reflect a negative quality of will, and thus that QW doesn’t have this implication.

¹⁷ By “witting wrongdoing” I mean wrongdoing performed with awareness that the behavior is morally wrong. Some maintain that this awareness must be “occurrent” (i.e., consciously thought of) at the time of behavior (e.g., Zimmerman 1997: 421-422; Levy 2009: 736, n. 16), while others maintain that only dispositional awareness is required (Robichaud 2014: 148). Additionally, many theorists maintain that the relevant awareness needn’t involve knowledge (Rosen 2008: 595-596, Peels 2014: 493). Instead, (justified) true beliefs may be sufficient to undergird reasonable expectation concerning behavior.

¹⁸ See King 2017 for an argument that the tracing strategy is often explanatorily unnecessary.

¹⁹ See Smith (1983: 505) for a case that motivates this requirement.

²⁰ Most theorists understand this, not in terms of what a “reasonable person” would foresee, but instead what a particular agent (given their capacities and opportunities) can be reasonably expected to foresee (Sher 2009: 100ff, Miller 2017: 1565).

²¹ The akrasia requirement goes further because one might believe that an action is morally wrong and yet (for non-moral reasons) it is all-things-considered rationally permissible (Rosen 2004: 305-306).

²² One might reject the akrasia requirement and maintain that direct blameworthiness for some behavior only requires awareness that it’s morally wrong. But the skeptical argument could be amended accordingly in terms of witting wrongdoing instead of akrasia.

²³ Even if this is correct, many morally ignorant agents might consider the possibility that they’re mistaken so unlikely as to not merit further reflection.

²⁴ But consider the following challenge: if agents can be directly blameworthy for some unwitting failures (e.g., the business executive’s unwitting failure to listen to others), why can’t they be directly blameworthy for other unwitting failures (e.g., the business executive’s unwitting ruthless wrongdoing)? In other words, if this view is correct, why is tracing necessary at all in these cases? Thanks to Kyle Fritz for raising this concern.

²⁵ Rudy-Hiller accepts BIP but rejects NDBI (2017: 413). Clarke is inclined to accept NDBI (2017: 236) but casts doubt upon BIP (2017: 238).

²⁶ Sher adds a further condition: the agent’s ignorance (e.g., Alessandra’s failure to remember Sheba) is due to her own attitudes, dispositions, and traits (2009: 87).

²⁷ Although capacitarions often maintain that such agents are blameworthy, Rudy-Hiller (2019) argues that Capacitarianism needn’t have this implication.

²⁸ The fundamental differences between RE and QW have led some to wonder whether these theorists are operating with different conceptions of responsibility (and blameworthiness) and are simply talking past each other. However, both RE theorists and QW theorists are concerned with the appropriateness of the reactive attitudes involved in blaming (e.g., resentment, indignation). Indeed, the debate between these theorists is less about what responses are appropriate for blameworthy agents and more about the requirements on the appropriateness of these responses (Nelkin 2016: 360, Talbert 2017: 18-19).

²⁹ One might (plausibly) add that the agent must recognize these features *as* wrong-making and believe on this basis that the action is wrong. To be ecumenical, I leave this open.

³⁰ This component of the hybrid view is developed in further in Miller (2019).

³¹ This is a variation on a sub-plot in an episode of *Freaks and Geeks* (“Chokin’ and Tokin’”).

³² Suppose that Alan would have behaved the same way even if he had been aware of this. The truth of this counterfactual might mean that Alan is particularly blameworthy for his quality of will. However, it arguably doesn't make him more blameworthy for his action, since his ignorance (in the actual case) would preclude the manifestation of his quality of will in that action (Miller 2019: 35-36).

³³ For excellent alternatives see Talbert 2016 (Ch. 5) and Rudy-Hiller 2022.

³⁴ Björnsson (2017) maintains that blameworthiness depends upon the quality of will that can be reasonably demanded of an agent, which in turn is sensitive to the agent's capacities.

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Further Reading

For alternative introductions to this literature, see Fernando Rudy-Hiller's article on the Epistemic Condition in the Stanford Encyclopedia of Philosophy, as well as Chapter 5 of Matthew Talbert's *Moral Responsibility*. For two recent collections, see Philip Robichaud and Jan Willem Wieland, *Responsibility: The Epistemic Condition*, and Rik Peels, *Perspectives on Ignorance from Moral and Social Philosophy*.