

CONFUSIONS ABOUT SUSPICION, BELIEF, AND KNOWLEDGE

I have read and considered every individual post, and I am concerned that many of the responses to this week's questions reflect a misunderstanding of the case. I am not sure whether this occurs from the viewing the video or reading the text. Nevertheless, many posts include misstatements of fact and confuse fact with belief, opinion, and suspicion.

Gilbane Gold is not The Truesteel Affair and changing the name from Robert Williams to David Jackson and leaving every other element of the analysis unchanged will not work because of the factual differences between the cases. The analysis requires a mastery and understanding of the facts including the ability to discern relevant from irrelevant facts and distinguish between knowledge, belief, opinion, and suspicion.

Each of you should be prepared to speak fluently about this case by citing specific facts in the case to explain your groups' conclusions about this week's discussion questions. All of the initial responses offered by some groups for a question assert suspicions as beliefs or facts and beliefs as facts. This confusion will probably make your consensus building process more difficult because the uniformity of expressions make exploration of differences very difficult, if not impossible, and it is that process that can lead a group to an appropriate conclusion on the question.

My hope is that you can clarify these confusions prior to finalizing your group's consensus positions on these questions. My hope is that your group's stated positions on these questions will distinguish fact from opinion based on David Jackson's knowledge, belief, or suspicion. In other words, ascertain and distinguish what David Jackson knows from what he believes or suspects about Z-Corp's effluent and its impact downstream on the sludge, fields, crops, and consumers, which requires separating fact from opinion.

You may find the following information about the differences between these levels of human understanding helpful and you proceed.

<https://writing.colostate.edu/guides/teaching/co300man/pop12d.cfm>

Most statements we make in speaking and writing are assertions of fact, opinion, belief, or prejudice. The usefulness and acceptability of an assertion can be improved or diminished by the nature of the assertion, depending on which of the following categories it falls into:

- **A fact is verifiable.**
- **An opinion is a judgment based on facts**, an honest attempt to draw a reasonable conclusion from factual evidence.
- Unlike an opinion, a **belief is a conviction based on cultural or personal faith, morality, or values.**
- **prejudice, a half-baked opinion based on insufficient or unexamined evidence.**

<https://www.giffordlectures.org/books/belief/lecture-4-belief-and-evidence-i> (A lengthy, but informed read) Nothing quoted here.

Belief/Believe/Suspect/Opinion defined

- **Belief:** **Noun**
 - *Mental acceptance of a claim as likely true.*
 - *Faith or trust in the reality of something; often based upon one's own reasoning, trust in a claim, desire of actuality, and/or evidence*
- **Believe:** **Verb**
 - *To accept as true, particularly without absolute certainty*
- **Suspect:** **Verb**
 - *To imagine or suppose (something) to be true, or to exist, without proof.*
- **Opinion:** **Noun**
 - *A belief that a person has formed about a topic or issue.*
 - *The judgment or sentiment which the mind forms of persons or things; estimation.*

<http://www.differencebetween.net/language/words-language/differences-between-belief-and-knowledge/>

1. A belief is the subjective requirement for knowledge.
2. “Knowledge” is defined as “justified true belief.”
3. In other words, a belief can be considered knowledge as long as it is a justified truth. This notion is also supported by the Belief-Knowledge Continuum and by Plato’s *Theory of Knowledge*.
4. There are three types of belief – vague belief, well-supported belief, and belief beyond a reasonable doubt.

5. Truth also plays an important role in the justification of belief. “Truth” is defined as “the objective requirement for knowledge.”
6. As long as a particular belief is justified, it is considered to be knowledge.

<https://www.differencebetween.com/difference-between-knowledge-and-vs-belief/>

What is the difference between Knowledge and Belief?

- *Definitions of Knowledge and Belief:*
 - *Knowledge can be defined as information or awareness gained through experience or education.*
 - *Belief is a firmly held opinion.*
- *Collection of Data:*
 - *Knowledge involves a collection of data as well.*
 - *Belief does not involve a collection of data.*
- *Faith:*
 - *Knowledge has nothing to do with faith.*
 - *Belief has faith as the factor that governs.*

The supplemental document on causation may also help in this analysis.

Not all links between one event and subsequent consequences should be linked as consequential. Direct and Proximate causes will be sufficiently related and close for accountability based on causation. However, when Intervening and Superseding causes occur between the original event or action, the resulting consequence may not be causally link to the original act.

DIRECT CAUSE¹

An action or event that is directly responsible for a series of events occurring without any intervening action which would change or modify the series of events that occurred.

PROXIMATE CAUSE

The immediate cause which connects a tortious act to the consequences and damages for which a defendant would be responsible. The relationship between cause and effect. An action or event which is directly responsible for producing the end result and, if it was not present, the end result would not have occurred. The cause which is responsible for the end result happening.

INTERVENING CAUSE

An action or event that occurs, after an original act or event occurs that sets a series of events into motion, and before the end result. The original action and the end result remain connected even though another intervening action occurs. An event which occurs after a negligent or dangerous act that affects the chain of causation to the ultimate damages that result and thus making the second actor liable rather than the first. For example, John throws a baseball negligently towards a crowd of people but Bob swats it out of the air with a baseball bat and strikes it towards another crowd of people where it strikes and seriously injures a person.

SUPERSEDING CAUSE

An action or event that occurs after an original act or event occurs that sets a series of events into motion which affects a series of events so significantly that the end result is no longer connected with the original direct cause. See intervening cause.

¹ TheLaw.com Law Dictionary & Black's Law Dictionary 2nd Ed.