

Extreme Accusations and the Risk of Over Accusing

Jan A. Bergstra

j.a.bergstra@uva.nl, janaldertb@gmail.com

Informatics Institute, Science Park 900, 1098 XH, Amsterdam,
The Netherlands

Marcus Düwell

mduwell62@posteo.net

Institute for Philosophy, Technical University of Darmstadt,
Germany

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Abstract

Proceeding on our initial work on types of accusation, we continue with an investigation of the fine structure of the class of straight accusations, with focus on what we will call “extreme accusations.” Besides “extreme accusation” we find the need for additional terminology such as “under accusing” and “over accusing.” Accusing comes with risks, which we investigate in some detail. Extreme accusation may arise from the intent to avoid a risk of under accusation, but it comes with a risk of over accusation, the gravity of which latter may be underestimated with unfortunate consequences.

1 Introduction

In Bergstra & Düwell [4] we have introduced a conceptual framework which we refer to as accusation theory, which in turn has been developed on the basis of promise theory, as

presented in Bergstra & Burgess [3]. In Bergstra & Düwell [5] a case study of accusation theory, in the context of computer programming, is developed, and rather specifically to this particular context, relations between promises and accusations are discussed in significant detail. In Bergstra & Düwell [6] the notion of special accusation types is discussed. The contribution of the present paper is to propose a further special accusation type, the so-called “extreme accusation.” Extreme accusations are mostly non-anonymous, that is, the accuser makes themselves known to the accused and to agents in scope of the accusation. Extreme accusations are unlikely to be self-accusations, though that state of affairs is not inconceivable. Extreme accusations may be non-evidential, in which case there is, perhaps, a lack of evidence, but usually not a complete lack of evidence.

We refer the reader to the papers just mentioned [4, 5] and [6] for a discussion of accusations and references to other work.

1.1 Focus on accusations about past or current behaviour of an agent or collective of agents

We consider cases where an accusation is made regarding an aspect of the past or current behaviour, P , of an accusee. We say that the accusation is about such behaviour. In the terminology of [6] these are so-called straight accusations. In this paper we elaborate on the fine structure of straight accusations. We use some new terminology, in addition to the terminology on accusations, which was introduced and used in our previous papers on accusation theory.

The *target behaviour* of a straight accusation is the behaviour about which the accusation is made. Some accusations have no target behaviour but rather a target condition. For instance A may accuse B of being formally affiliated to a certain organization, say ORG , in circumstances where that particular affiliation with ORG would stand in the way of some course of actions which is being contemplated. Such an accusation is also a straight accusation but its body specifies a condition, the *target condition* of the accusation, rather than a behaviour.

An accusee may be an individual person, it may also be a group or individuals, or an institution made up of individuals. For instance a head of state, or a state or the government of a state, or (specific parts of) the armed forces of a state or of a combination of states or of any supranational entity may feature as the target of an accusation.

1.1.1 Claiming accusations versus reporting accusation

In many cases an accusation is issued in the absence of a precise specification and assessment of the target behaviour which the accusation is about. Here we stumble on nearly

intractable problems: it may be the case that the target behaviour, P, of accusee B is fictitious, that is, it is a mental construction of the accuser, perhaps shared by some or even many agents in scope of the accusation. Such fictions may have different forms ranging from, say, “B is an enemy of the state given their behaviour in the past year” (imprecise) to “B has lied to their superior, S, about theme T” (wrong) when in fact no interaction with S took place.

We assume that, in some cases, there is an objective description of the target behaviour, P, together with an assessment of it. For instance, after a legal procedure, ending in a verdict, it may be “known” that B has stolen good, G, from C. In that situation A’s proclamation “B is a thief, they have stolen G” is a statement of fact (also referred to as a judgment) about B which then qualifies as a reporting accusation because of its factual status. We will distinguish claiming accusations from reporting accusations. An accusation is claiming if the factual nature of the body of the accusation is still disputed (i.e. has not yet been formally settled).

1.1.2 Subjectivity of the accusation attributes claim and reporting

Already these seemingly trivial definitions raise complicated questions: must the claiming status of an accusation be known to the accuser? We will assume that this is necessarily the case as no claim can be made unintentionally, and the same holds for a reporting claim. A reporting claim may, however, be ungrounded if the (claim that) the body of the accusation has been validated is wrong. An ungrounded reporting claim may be intentionally (or deliberately) ungrounded and in other cases it may be unintentionally ungrounded (in case the accuser mistakenly came to the conclusion that the body of the accusation has been objectively/externally validated).

1.2 Extreme accusation defined

We define an extreme accusation as follows:

An extreme accusation made by accuser A to accusee B, with agents S (a possibly empty collection of agents) in scope, consists of an accusation, the body of which involves a claim of wrongdoing (i.e. a behaviour, P, claimed to be wrong) by B (not necessarily in the direction of A) to such an extent that the following may be assumed about A:

(i) Accuser A cannot imagine that there is a plausible and morally admissible rationale for the claimed behaviour, P, of B. Accuser A cannot imagine a rationale (for P-like behaviour) which A would consider sufficient as a justification for their own agency when contemplating the idea of playing the role of B (and performing P) themselves.

(ii) Accuser A considers any process of finding a convincing rationale, or moral justification, for B's performance of behaviour, P, ill-directed. Accuser A judges from the outset that such a rationale cannot exist and should not exist, let alone be construed.

(iii) Accuser A cannot imagine that any other actions, say Q, performed by B, may morally compensate for the wrongness of P. Therefore A considers it essential that B unconditionally terminates behaviour P and, in addition, that B will not easily get away with their wrongdoings. Stated differently, by performing P, B has become disqualified as a moral agent in the perception of A; this disqualification is complete and irreversible.

(iv) The claimed problem with behaviour P is so great that, for A, the very competence of moral behaviour of B is in question, so that it is implausible for A to issue other less critical accusations towards B, as doing so would counter-intuitively suggest that B is able to make valid judgments after all.

(v) The accusation being extreme is not a matter of context. Neither is extremity of an accusation connected with it being claiming or it being reporting. Also extremity of an accusation is independent of any intentionality from the side of the accuser. Extremity of an accusation is exclusively determined by the phrasing of the body of the accusation.

In case A issues an extreme accusation to B the following are plausible:

(a) It will come as no surprise for A if B disagrees with the accusation, either by denial (by B) of having shown behaviour P, or alternatively A's assessment of P as being very wrong is not shared by B.

(b) An agent, C, in scope of said accusation is faced with a stark choice: either to support the accusation (by way of a promise to A), thereby risking retaliation from B (if B is in scope of that promise), or not to support the accusation in which case C risks being accused by A of siding with B, thereby becoming infected with A's moral disqualification of B which may then extend to C.

(c) Plausibly B is a group, a government, a head of state representing the leadership of a state, or the commanding officers of an army, or even an entire nation or cluster of nations. As a consequence of such circumstances, unlike most cases of ordinary criminal accusations, even if the group of accusees is small, there is likely to be a significant group of co-accusees with disputable demarcations.

1.3 Examples of activity types for extreme accusations

There are only a few *activity types* of extreme accusations, each consisting of a qualification of a certain behaviour. We mention four activity types of extreme accusations that we know of, there may be more, but, perhaps, not many more:

- (i) Having committed genocide (or being in the process of doing so),
- (ii) Having committed mass murder (or being in the process of doing so),
- (iii) Having committed murder for pleasure.
- (iv) Being a fascist.

1.3.1 The role of legal assessment in competent courts

There is a fundamental difference between these four activity types in the following sense: whether or not some person or organization is fascist will not be judged by a legal court. In a specific instance, however, it is certainly plausible that, in due time, a competent court of justice will issue a judgment on whether or not genocide is an adequate assessment of certain past or present behaviour. However, assuming that, like with ordinary crimes, it is primarily up to the legal system to make assessments about the occurrence of genocide is unwarranted as courts may not be sufficiently independent in some cases. Of course disagreements regarding definitions may play a role as well, thereby making legal judgments less definitive than in the case of ordinary criminal accusations.

1.3.2 Co-defining counter examples

Counter examples contribute to the clarity of a definition just as much as positive examples:

(a) Homocide is not on this list because, in some cases, homocide is justified, for instance in case of an immediate threat triggering actions of effective though lethal self defense.

(b) Theft is not on the list simply because there are too many thieves, and in addition because the question “why” is often a plausible question in case of theft.

(c) Holocaust denial is not an activity type for extreme accusations because it is merely a derivative of holocaust (as an instance of genocide). Moreover, if, when put under heavy pressure in a adverse circumstances, someone performs Holocaust denial (for some specified instance of Holocaust) in order to save their physical integrity, such behaviour would potentially be justified.

We expect that the notion of an extreme accusation has practical value. But we will not discuss any real life examples of what we consider to be extreme accusations. This restriction is important for the paper in order to avoid burdening our conceptual work with contentious political judgments.

1.4 Extremity as a measure of accusation force

In [5] (2.4) we have distinguished five levels of force for an accusation: controversial, marginal, moderate, significant and serious. Extreme may be thought of as a sixth level of force. These levels are absolute in the sense that no relation to any actual course of events matters. An accusation of murder is serious whether or not a murder took place.

1.4.1 Nonexistence of justifiable instances of activity types for extreme accusations

Our terminology implies that an extreme accusation, with a target behaviour of activity type, say AT, may not be made “less extreme” (or rather non-extreme) by suggesting the option of a justifiable form of behaviour of activity type AT. We rule out the development of notions like “justifiable genocide”, “justifiable mass murder” and “justifiable murder for pleasure”. Thus the extremity of extreme accusations is supposed to be non-negotiable. Contemplating “justifiable genocide” one finds that the only parameter open for adaptation is the definition of genocide. An attempt to think in terms of justifiable genocide must be understood as a proposal to modify the definition of genocide in order to make that definition less inclusive so that behaviour of a certain activity type will not be classified as genocide (at least not with the modified definition).

1.4.2 Extreme claiming accusations versus extreme reporting accusations

For each activity type of extreme accusations one may imagine both claiming accusations and reporting accusations. The latter are hardly controversial, while the former may be highly controversial.

Extreme reporting accusations will be issued in order to achieve objectives that may be directly or merely indirectly connected with the behaviour about which the accusations are made. A direct connection exists if the accuser intends to put pressure on the accused to stop showing behaviour of a certain activity type (say AT) given that it has already been officially confirmed that qualification of the behaviour as of type AT is valid. An indirect connection exists for instance if the reporting accusation is issued in order to disqualify an agent from fulfilling a certain future role.

1.4.3 Ignoring or denying an extreme reporting accusation

Extreme reporting accusations may be challenging for agents in scope. A reporting accusation comes with proof or with references to proof and requires an agent in the audience to agree or to disagree. Given the extremity of the accusation it is hardly plausible for an agent in scope to react with “so what”.

Denial of an extreme reporting accusation (for instance “Holocaust denial” in connection with the holocaust inflicted by Germany when the National-Socialists were in power) constitutes, in itself, behaviour which in turn may trigger sharp accusations.

1.4.4 Extreme claiming accusations mimicking reporting accusations

Extreme claiming accusations may be issued in such a manner that it is made hardly noticeable that the accusation is claiming rather than reporting. This class of accusations is of vital importance because, upon issuing extreme accusations, any remaining window of opportunity for communication with the accusee all but closes.

A typical setting where extreme claiming accusations may be issued as if these were reporting accusations, occurs in so-called demonstrations. The slogan “Johnson murderer” used by US opponents of the Vietnam war during the presidency of LB Johnson is a prototypical instance of an extreme claiming accusation mimicking a reporting accusation. Johnson was not a convicted murderer. Now, in the light of presidential immunity, he could not quickly become a convicted murderer either, as there would be no prosecution on that matter.

Accusations (including extreme claiming accusation mimicking a reporting accusation) made during the opposition against the Vietnam war have probably been helpful to convince US politicians that another approach was needed. In spite of this historical evidence, we feel that the use of extreme claiming accusation mimicking a reporting accusation comes with significant risks and should best be avoided.

1.4.5 Opinion based extreme claiming accusations

An important class of extreme accusations are claiming accusations for an extreme activity type which are based on personal or group opinion only. A steady source of such accusations is the Lemkin institute for Genocide Prevention, which has reserved for itself the right, if not the task, to qualify activity types as being instances of genocide, thereby overlooking the crucial necessity to have such accusations validated by established legal entities rather than by a private organization. See <https://www.lemkininstitute.com>.

1.5 Quasi-extreme accusations

An accuser, A, may intend to issue an extreme accusation (with body EX-ACC(P)) about B’s behaviour, P, and then A may have second thoughts about the risk of completely alienating themselves from B, thereby making the accusation less effective rather than more effective. Instead of issuing an extreme accusation as captured by EX-ACC(P) they may

downscale the accusation to the claim that “B is at risk of being accused of EX-ACC(P)”. An advantage for A of issuing a quasi-extreme accusation to B is that it leaves open more room for subsequent interaction with B.

2 Accusation strength in relation to target behaviour

An accusation, by accuser A to accusee B, about B’s behaviour, P, may be gauged in relation to the behaviour P, or rather to various subjective descriptions of behaviour P. In other words, accusations may be qualified with respect to the significance of the body of the accusation, and with respect to the context in which target behaviour has been shown. An accusation may be worded in different terms, relative to the behaviour as captured by the body of the accusation, and also relative to the context of said behaviour. The wording of an accusation may range from very weak to very strong.

2.1 A roadblock: missing clarity about target behaviour

Qualifying an accusation in relation to the target behaviour is much harder than merely categorizing accusations as extreme or non-extreme. The additional difficulty lies in coming to grips with uncertainty (missing information, desinformation, biased information) about the target behaviour. Nevertheless the idea that an accusation about target behaviour, P, can range from being very strong (given P), strong, moderate, weak, to very weak, is intuitively appealing, at least at first sight.

We will discuss the following, with extreme accusations in mind.

- (1) Developing notions of strength of an accusation,
- (2) Developing the notions of overaccusing and underaccusing,
- (3) Explaining the issuing of extreme accusations (by accuser A) as a means (for A) to avoid the risk (as perceived by A) of underaccusing,
- (4) Explaining some extreme accusations as an instance of overaccusing, thereby illustrating the significant risks (in terms of not achieving the accuser’s objectives) arising from overaccusing,
- (5) Suggesting a proposal for balancing the risk of underaccusing with the risk of overaccusing, thereby reducing the plausibility (and perceived effectiveness) of issuing extreme accusations.

2.2 Reporting accusations about known target behaviour

We may start with the simplifying assumption that target behaviour is known and that (if needed to resolve lacking clarity) various judgments about the target behaviour have been

made in court in a fairly definitive manner. Yet even in the case of known target behaviour, accusations about it may vary widely.

We propose to speak of established target behaviour if the behaviour is known and major legal matters about it have been resolved. Thus the simplifying assumption, just mentioned, amounts to the assumption that target behaviour is established. If target behaviour is not yet established, for whatever reason, it will be called pending. Extreme accusations may well be accusations about pending target behaviour. Reporting accusations are accusations about established target behaviour.

2.2.1 Relatively strong accusations

An accusation is relatively (very) strong if it is (very) strong when seen in the light of what is known about the target behaviour. Similarly an accusation may be (very) weak. An accusation is moderate if it is neither strong nor weak. We mention some examples.

Example I: parking damage example Suppose that A and B are traffic participants and B drives a car. Participant A notices that when parking, B's car touches another car, say owned by C. Participant A also notices that B, upon taking notice of the incident, moves on and parks elsewhere so that C will not be able to link their damage to damage that is visible on the car belonging to B.

Now A may issue the following accusation: that B has intentionally damaged C's car in order to create serious financial difficulties for B.

When considering the case one might raise various arguments which may serve as a rationale or even a convincing explanation of B's behaviour during the incident reported by A.

(i) It might have been the case that B misjudged the size of the parking space next to C's car and made a parking mistake but then failed to have the courage to openly admit their wrongdoing.

(ii) It might have been the case that B misjudged the size of the parking space next to C's car and then chose to park elsewhere not even having noticed that both cars had touched.

(iii) It might have been the case that B does not have any information about the owner of the potentially damaged car, and that A intended to return to C's damaged car, after having parked elsewhere, in order to see the scale of the damage (if any) and to make themselves known to C via some message left on C's car. Upon returning, A wrongly concluded that C's car was undamaged and made no attempt to set things straight.

(iv) Alternatively (in the above scenario) B's plan to return to C's car may have been interrupted by some unforeseen event, a delay which causes B to arrive at the location of C's car after C had left with their car, and without having noticed the damage.

With the accusation, as given above, in mind, none of these explanations may even occur to A. Given the context of the case, we consider the accusation of intentional wrongdoing by B very strong. Of course a very strong accusation may turn out to be invalid. For A who believes their very strong accusation, however, there is hardly a reason to contemplate various plausible "explanations" of B's behaviour. As a consequence A may be less able to find out what actually took place.

2.2.2 Example II: accusing a critic of being unpatriotic

During a war between two states, S and S', a citizen, X of S, may disagree with the objectives of the war. X may disagree that the cost of the war is justified by its expected yield. Then officials of S may accuse X of an unpatriotic position. This is a strong (or rather very strong) accusation in relation to the target behavior.

2.2.3 Example III: claiming a sexually or racially biased account for otherwise undesirable behaviour

Person B may be accused by A of sexually undesirable behaviour while the target behaviour is established as being not of the activity type sexually undesirable behaviour. The accusation made by A is very strong in relation to the known facts about the target behaviour.

3 Overaccusing versus under accusing

Extreme accusations plausibly express a deep sense of dismay held by the accuser concerning the accused's behaviour. An extreme accusation may mainly serve to communicate precisely that feeling to agents in scope of the accusation. Given A's judgment of B's behaviour, issuing accusations against B is a plausible form of action against B. For this action to have impact it is plausible that fairly harsh accusations are needed, and A will confront a risk of under accusation, that is, issuing one or more accusations each of which are lightweight as seen from the perspective of A.

In the parking damage example, above, agent A might also accuse B of failing to notice that there was some damage to C's car while appreciating that B made an attempt to find traces of damage after the touch between both cars. Now if A is very (extremely) negative

about B, A may prefer to issue a more devastating accusation (as it is done by A in the parking damage example).

Under accusing takes place if A could have succeeded in issuing a stronger accusation without being held effectively to account. Complementary to under accusing there is over accusing: issuing a stronger accusation and thereby having less effect than envisaged.

3.1 Moderate accusing

In between of over accusing and under accusing there is the middle ground which we will label moderate accusing. Between moderate accusing and under accusing lies cautious accusing, and between moderate accusing and over accusing lies forceful accusing. So we end up with a sort of hierarchy:

- over accusing,
- forceful accusing (strong accusing),
- moderate accusing,
- weak accusing,
- under accusing.

Extreme accusation does not appear as an item in this hierarchy because its definition is given in absolute terms, not in relative terms in relation to what is known of the target behaviour.

An extreme accusation may be perfectly valid (that is, the accused is provably guilty, the target behaviour is of an activity type listed as potentially leading to an extreme accusation) in which case the accusation need not be considered forceful and may be considered moderate. In such cases the accuser may consider under accusing in order to avoid the risks and consequences of issuing an extreme accusation.

3.2 The force of over accusing: visibility and publicity

Over accusing is mostly effective in connection with pending target behaviour. One may read over accusing as campaigning for an outcome of legal procedures which corresponds to a strong accusation. Over accusing may also occur as a tool when attempting to make the accused stop with continuing the relevant target behaviour, or as a tool which may be effective in the direction of agents in scope of the accusation pushing them to opposition towards the accused.

Over accusation will often draw more attention than cautious accusation. A driving factor in the publicity boost which over accusation may create lies in the risk taken by

over accusers, their accusation may retrospectively turn out to have been invalid when the target behaviour has come under legal scrutiny and the target behaviour has (perhaps after modification of its description) becomes established.

3.3 Risk assessment of over accusing

An extreme accusation may arise if an accuser assumes that by issuing a weaker accusation they would be under accusing. Over accusing comes with important risks, in particular the risk that the accuser becomes blindfolded for simpler and less extreme accusations while such weaker accusations might, in fact, be more effective as means to modify or reverse the accusee's behaviour.

Issuing an extreme accusation may create a situation in which the accuser is unable to understand why the accusee behaves as observed, even in cases where such an explanation exists to such an extent that it would be convincing for the accuser when placed in the shoes of the accusee.

A listing of risks of over accusing may be helpful for risk analysis on this matter:

(i) Inability to use less extreme accusations which may in the end be more effective as a means to change the behaviour of the accusee;

(ii) Inability to see that the accusee is to some extent right in their approach;

(iii) Creating a situation where the accusee has no other option than to ignore the accuser, or otherwise to return extreme accusations made up for the specific situation in order to show agents in scope of the exchange that the accusee disagrees with the accuser in very clear terms;

(iv) Creating a situation where the accusee may isolate the accuser as an agent who should not participate in the debate because of the very act of deliberate over accusing.

3.4 Risks of under accusing: lacking visibility and implicit support for the target behaviour

As risks of under accusing, from the perspective of the accuser, we notice the following:

(i) The publicity that is created by issuing the accusation may be less pronounced than might be the case with a (more) moderate accusation. In fact this risk already starts for an accuser who is not over accusing;

(ii) Under accusing may be perceived by some agents in scope of the accusation as support for the accusee's target behaviour;

(iii) Already moderate accusing may trigger the counter accusation of support for the accusee on basis of the hypothesis that over accusation would prove more effective for influencing accusee behaviour in the direction of abstaining from target behaviour.

(iv) A further risk of under accusing lies in the possible situation that after having processed several fairly moderate accusations, it becomes implausible for an accuser to issue a much stronger accusation if nothing has changed in between. The idea is that once a situation arises in which A feels it necessary to accuse B, it is vital for A to converge to an ultimate accusation rather quickly in order not to lose credibility.

3.4.1 Legitimate under accusing

Under accusing may be understood as support for very problematic behaviour. Suppose that A holds as a fact that “B is committing genocide in timeframe, T, in location, L”. Now A may feel obliged to be explicit about their view of B. However, it may be that the very question whether or not B is actually behaving in a genocidal manner is being investigated by a competent court. In that case A may rightly say that the judgment on the matter is still open and refrain from accusing B in an extreme manner. Clearly in this case A will look for a weaker accusation for which the burden of proof is lighter. For instance the accusation that B is applying disproportional military violence with as a consequence that there are far too many civilian casualties. Now A will find themselves under accusing (A is subjectively under accusing) and yet we see sufficient justification for doing so.

Advantages for A are twofold: (i) A takes into account the very possibility that their judgment will not be shared by the court, and (ii) A preserves better options for communication with B and their allies.

4 Accusing and the power equation

Accusations are utterances with some similarity to promises and threats. But there seems to be a significant difference between these three classes of speech acts: both promises and threats are meaningful only for agents who are empowered to keeping their promise, or threat. Accusations on the other hand may be issued by all agents, and do not, at least at first sight, depend on any power or position of credibility.

4.1 A credibility gap for extreme accusations

Many political demonstrations feature accusations, more than promises or threats, which matches with the asymmetry just observed. Here we find an intriguing question: if a citizen of some state issues an extreme claiming accusation towards another state: is there anything which may provide credibility to this action? Is there some form of conceivable penalty (for the accuser) if it turns out that the extreme accusation happens not to be validated at some later stage? Or is there some form of compensation for the accusee

in case of eventually turning out to have been wrongly (and at the same time extremely) accused? Remarkably, it seems to be the case that issuing an extreme claiming accusation can be quite gratuitous at the same time. There seems to be a credibility gap which is hard to bridge. Creating a balance of interests which helps to prevent the issuing of gratuitous extreme (claiming) accusations is far from easy.

Another observation is that human agents involved in issuing extreme claiming accusations may feel some embarrassment emerging from uncertainty regarding the risk that (legal) validation of the promise at hand will unexpectedly not succeed in the end. It seems to be so that by acting in groups, all sharing the same accusation, human accusers issuing extreme claiming accusations feel more safe, and feel less in need to see their accusation validated.

4.2 Superextreme accusations

A superextreme accusation is an extreme accusation which is intrinsically nonevidential at the same time. By definition a superextreme accusation can only be a claiming accusation. A classical example is: “witches cause fatal problems in society”. No reasonable proof of this claim can be imagined. Nevertheless such accusations have been around throughout Europe some 500 years ago. Superextreme accusations may come with ordinary companion accusations which may be either claiming or reporting. For instance the accusation “B is a witch” may have been confirmed by a court in which case it is a reporting accusation. Otherwise “B is a witch” may be understood as a claiming accusation.

5 Concluding remarks

5.1 Connection with special accusation types

Extreme accusations do not range under the three special accusation types discussed in our [6]:

(i) Extreme accusations are usually not anonymous, although an anonymous extreme accusation is certainly conceivable;

(ii) Extreme accusations may be nonevidential, though there is a difference with the NEI’s of [6]. It is plausible that extreme accusations are stronger versions of accusations for which ample evidence is already available. Evidence may still be needed for the classification of target behaviour as being of an activity type regarded as fitting for the classification as an extreme accusation.

5.2 Justified accusations

In [5] (Definition 6.2) we define what it means for an agent, C, in scope of an accusation, P, made by A to B that C considers the accusation to be justified. The criterion for justification is significantly weaker than the criterion for validity of the body of the accusation. The criterion for justification consists of a disjunction of 5 subcriteria.

Following these criteria for justification of an accusation from the perspective of an agent, C, in its scope, it is plausible that an extreme accusation is justified because one of the 5 options for justification succeeds. It follows that it is far from amazing that extreme accusations are often considered justified by agents in scope.

Nevertheless, at closer inspection, only criteria (b1) and (b2) of Definition 6.2 of [5] may suffice for the justification of an extreme accusation. The justification then lies in the accusation being instrumental for bringing about a formal and legal investigation into the adequacy (validity of the body) of the accusation.

Taking the case of the genocide accusation we may then reason as follows. Once an adequate international court has taken on board the task to assess the validity of a specific genocide accusation, issuing that same accusation (as a claiming accusation) at a moment of time before the court has come to a conclusion will lack justification because issuing said accusation lacks an instrumental value towards achieving a legal assessment of the accusation (a goal which already has been achieved).

5.3 The moral high ground

Issuing an extreme accusation is likely to go hand in hand with assuming to have acquired a position on the moral debate which may be qualified as high ground, at least subjectively as seen from the accuser's perspective. The subjective moral high ground position at the same time justifies extreme accusations and comes about from issuing extreme accusations. In other words self-perception as being on moral high ground and the issuing of extreme accusations may be mutually reinforcing.

Denial of an extreme accusation comes with putting in question the moral high ground standing of the accuser who may react adversely. Denying or ignoring an extreme accusation will always come with a price.

Here lies a remarkable circularity, on the one hand the threshold for issuing an extreme accusation is promoted by adoption a moral high ground position, while on the other hand issuing a claiming extreme accusation necessitates the awareness of having acquired moral high ground.

5.4 Accusation theory

Accusation theory, as developed in [4, 5, 5], is a follow-up development based on the promise theory of [3]. Accusations are modeled just like promises. While promises may be used in software engineering and systems development (for example, see [8, 9, 1, 2] where further relevant references can be found), accusations are primarily relevant for human interactions. Unlike promise theory which takes promises as computed actions to begin with, accusation theory understands accusations as human actions.

Accusations have had much less attention in the philosophical literature than promises, a remarkable fact given the ubiquity and impact of accusations in daily life. Accusations can take many forms, for instance the accusation that today's humanity takes insufficient responsibility for future generations (see [7]). A fairly recent line of work on accusations in a legal setting is due to George Pavlich ([13, 14]). Accusation theory is related to the theory of blame of [12].

5.5 Locally extreme accusations

Within a confined community or organization the definition of extreme accusation can be repeated leading to different outcomes. In a university the accusation of sexual harassment may be understood as an extreme accusation that satisfies all elements of the Definition given in Section 1.2, though understood locally rather than globally. The special status of such accusations is discussed in [10] where the effect of turning the accuser into an outcast is institutionalized as a function of certain non-evidential accusations, using the terminology of [6].

5.6 Future work

We intend to apply accusation theory to accusations which play a central role in various social phenomena. The notion of an accusations is complex – accusations arise in many different forms and circumstances. We imagine that a better understanding of various types of accusations will lead to a better way of dealing with the phenomenon of accusation in cases where accusations may either be misunderstood or misguided or directed to the wrong accuser. We take classification and ramification of accusations as a fruitful path for obtaining a better understanding of accusations. The class of extreme accusations, as introduced in this paper, suggests further research. It seems to us that extreme accusations mostly arise when the accuser feels that some form of violation of human rights is at stake. We mention [11] for further reflections regarding the concept of human rights and violations thereof.

Extreme accusations allow further ramification, for instance the distinction between extreme accusations the validity of which is expected to be settled by formal legal procedures and extreme accusations the validity of which is unlikely to be definitively settled by any suitable legal system. In the first case subsequent ramification is possible upon answering various questions: (i) has a legal process for the assessment of an extreme accusation been initiated, (ii) will there be a long delay before legal conclusions are drawn, (iii) is there consensus about which legal procedure (and which court) may settle the matter? In the second case ramification is possible along the axis of which groups and communities support the extreme accusation at hand, and what conventions are maintained in these groups and communities. The resulting distinctions may not have sharp boundaries but are nevertheless relevant for understanding the social and political impact of extreme accusations.

If the body of an accusation is far from established, in other words what actually happened or is still happening defeats attempts to objectively describe it, then the definition of gradations of accusation strength becomes harder because accusation strength is then to be related to various subjective perceptions of the body of the accusation. We will not pursue definitions of accusations strength in case there is only limited clarity about the facts of the target behaviour. This work may however be a rewarding theme for future work.

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