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CONCILIATORY VIEWS OF DISAGREEMENT AND HIGHER-ORDER EVIDENCE

ABSTRACT

Conciliatory views of disagreement maintain that discovering a particular type of disagreement requires that one make doxastic conciliation. In this paper I give a more formal characterization of such a view. After explaining and motivating this view as the correct view regarding the epistemic significance of disagreement, I proceed to defend it from several objections concerning higher-order evidence (evidence about the character of one's evidence) made by Thomas Kelly (2005).

Disagreements abound. An important epistemological question concerns the epistemic significance of disagreement. Suppose that you and a friend are evenly dividing up the check after a dinner together.[1] You agree on the amount of the tip and both look at the bill. After making the relevant calculations you come to believe that each of you owes $27. Suppose you also form the belief that you do not each owe $28. You are fairly good at making mathematical calculations of this sort and are thereby justified in believing that you do not each owe $28. Your friend also makes the relevant calculations and you know that your friend is equally good at making such calculations, but your friend comes to the conclusion that you each owe $28. Once you discover that your equally reliable friend believes that you each owe $28, what rational effect ought this to have on your belief that you do not each owe $28?

An intuitive view on this matter is a conciliatory view of disagreement. A conciliatory view of disagreement maintains that discovering an epistemic peer's disagreement epistemically requires you to doxastically move toward your opponent. More formally, a conciliatory view of disagreement claims the following:

> (CV): If (i) at t S_1 is justified in adopting doxastic attitude D_1 toward proposition p and (ii) at a later time t' S_1 becomes justified in believing that an epistemic peer S_2 has adopted a competitor doxastic attitude D_2 toward p and (iii) S_1 has no undefeated reason to discount S_2's conclusion at t' and (iv) S_1 has gained no other evidence affecting S_1's justification for p since t, then at t' S_1 is justified in adopting a doxastic attitude that is closer to D_2 on the scale of doxastic attitudes.[2]

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(CV) has it that you should become less confident that each of you do not owe $28 upon discovering that your friend disagrees. Conciliatory views can differ as to the amount of doxastic movement required, from very little (weak conciliatory views) to splitting the difference or requiring the suspension of judgment (strong conciliatory views). In what follows I will clarify and motivate (CV) and then defend both strong and weak versions from several objections concerning higher-order evidence.

First, a couple clarifications are in order. (CV) has four antecedent conditions. (CV) claims that when all these conditions are met, doxastic conciliation is required. Conditions (i) and (ii) regard propositions that S1 is *justified in believing*. These propositions need not be true, nor need they be believed by S1. Condition (i) has it that S1 is justified in adopting a certain doxastic attitude toward a proposition at a certain time. Condition (ii) is met when at a later time S1 becomes justified in believing that an individual, S2, is an epistemic peer and has adopted a competitor doxastic attitude D2 toward p. We can understand the notion of an epistemic peer as follows:

> S1 and S2 are *epistemic peers* if and only if they are equal in reasoning ability, intelligence, intellectual virtues, and in the evidence, background information, and concepts they possess.

Roughly, epistemic peers are equally likely to get it right.

Conciliatory views do not imply that doxastic movement is required when the individual in question has a reason to discount the dissenting peer's conclusion. Given condition (ii), S1 is justified in believing that in general S2 is equally as likely to get it right. However, S1 can have a reason to think that *on this particular occasion*, S2 is not as likely to have gotten it right. This might be due to some problem with S2 (S2 is drunk, hasn't slept for days, forgot his glasses, etc.) or to the content of the disputed proposition (the dispute regards the talents of S2's child, the attractiveness of S2's spouse, the morality of S2's occupation, etc.). Having such an undefeated reason justifies one in believing that it is one's opponent who is mistaken and thus can allow for one to doxastically stay put or at least make more modest concessions. Condition (iii) takes this into account. Finally, condition (iv) isolates the epistemic impact of the discovery of the disagreement by ruling out other changes in S1's justification for believing p since t.

Conciliatory views about disagreement are quite appealing. In the case described above, it seems that discovering that your friend disagrees with you diminishes the degree of belief you are justified in adopting towards the disputed proposition. For your discovery of disagreement to make no justificatory impact seems to be for you to fail to appreciate the evidence. When you discover that your friend disagrees with you, you have acquired some new relevant evidence – evidence that counts against believing that you do not each owe $28, which, if undefeated, will make a justificatory difference for you.

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To see this, imagine that you do not even see the check, and you ask your friend what each of you owes. In this situation, when your friend tells you that you each owe $28, given that your friend is reliable regarding such matters, you then become justified in believing that you each owe $28. So, your friend's testimony *does* give you evidence that you each owe $28. However, if your friend's testimony is evidence when you do not see the check, it is evidence regardless of *what you do*. Similarly, if your friend's testimony made a justificatory difference in the one case, it will also make a justificatory difference in the latter case, supposing the other details of the story remain fixed. So, it seems that your discovery of disagreement diminishes the degree of belief you are justified in adopting toward the disputed proposition.

Your discovery of this disagreement gives you evidence that you have made a mistake. This is evidence that you did not have before you discovered that your friend believed that you each owed $28. So, it is quite plausible that this discovery has the result that you epistemically ought to be less confident that you do not each owe $28 after you discover the disagreement. It would be irrational of you to completely discount your friend's testimony without having reason to – a reason you lack in our story. Non-conciliatory views ignore the evidential impact of your friend's testimony and thus give the wrong result in such cases of disagreement.

Disagreements like that involving the restaurant check can occur in a wide variety of cases. Such disagreements seem to occur frequently concerning matters of politics, religion, ethics, and philosophy in general. What I have said about the restaurant check case seems to apply equally well to these other cases of disagreement.

Such a view regarding the significance of disagreement, however, is not without its detractors. Thomas Kelly (2005) has objected to conciliatory views on the basis of considerations concerning higher-order evidence. As Kelly understands it, higher-order evidence is evidence about one's first-order evidence. Since reasonable individuals generally evaluate their evidence correctly, the fact that a reasonable individual evaluates the evidence a certain way on a given occasion is higher-order evidence that *that* evidence in fact supports the conclusion he has drawn. Although Kelly grants that such higher-order evidence will make a difference regarding what one is justified in believing about one's evidence, he doubts that such evidence has any justificatory impact regarding propositions not about one's evidence.

Kelly invites us to consider the following three claims:

(1) Evidence E is good evidence that p is true.
(2) S believes p on the basis of E
(3) p is true.

Kelly gives reasons to think that while (2) is evidence for (1), at least when S is a reasonable individual, (2) is not evidence for (3). If this is right, then it seems

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that conciliatory views of disagreement will be false. Recall that what motivated conciliatory views was that becoming aware of the relevant kind of disagreement affected the degree of confidence that one ought to have toward p. If (2) is not evidence for (3), then such a discovery only provides one with evidence regarding the character of one's first-order evidence, and not evidence regarding p itself. So, if this is the way to think about higher-order evidence, then it seems that conciliatory views are false since such a discovery fails to provide one with evidence pertaining to the disputed proposition.

Kelly gives several reasons to think that (2) is not evidence for (3). First, Kelly considers what one counts as one's evidence. Consider the restaurant check case described above. If you ask your friend why he believes that you each owe $28, he will cite various claims about what was written on the check and how various mathematical calculations work, but he will likely not cite the fact that he believes that you each owe $28 as part of his evidence. Rather, as Kelly notes, from your friend's perspective his belief seems to simply be a result of the evidence, not one more piece of it (2005, 25). Given this, Kelly thinks that the fact that your friend would not cite his belief as part of his evidence is a reason to think that his belief is not part of his evidence.

However, it is quite doubtful that we *ever* cite *all* of our evidence for a proposition when asked. Usually, what is cited as our evidence is only a contextually relevant or particularly interesting bit of the evidential story. Just as complete explanatory stories are rarely told, so too the evidential story given is often abridged.

For instance, in explaining why the forest caught on fire, citing a lighting strike is often as far as the explanation goes. Nevertheless, the lightning strike is not the complete explanation of the fire since it was only efficacious due to the presence of oxygen, flammable materials, and so forth. So, the mere fact that one's belief is typically not *cited* as part of one's evidence is not sufficient to show that it is not in fact part of one's evidence for the relevant proposition. Such a belief may be like the presence of oxygen in that it is a part of the story that often (perhaps even properly) gets ignored.

In addition, it is important to note that individuals *do* often cite that some *other* reasonable individual believes p as part of their evidence for p. For instance, it would be appropriate to cite that some expert believes p, or that a vast majority of your interlocutor's peers believe p. So, any oddity regarding citing one's own belief that p as evidence for p seems to lie with *whose* belief is cited rather than *that a belief that p* was cited as evidence for p. Further, there are many plausible explanations as to why it might be inappropriate to cite one's own belief as evidence. If nothing else, it seems to be an act of hubris to cite *one's own belief that p* as evidence for p. Thus, the fact that you rarely, if ever, cite your belief that p as evidence for p is not a consideration that shows that such higher-order evidence is not evidence for the first-order proposition.

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Kelly gives a closely related further reason here as well. He notes that often individuals will even *deny* that their belief that p is evidence for p. Even so, there is no worry here for conciliatory views. An individual needn't be able to identify something as evidence in order for it to be part of his evidence. It is quite plausible that we are rather poor at identifying all of our evidence regarding a given proposition. So, the fact that an individual may *deny* that his belief that p is any bit of evidence for p may give us reason to believe that his belief that p is not *based or grounded on* this bit of evidence, but that is not to show that his belief is not in fact evidence for p.

A second reason that Kelly gives for thinking that (2) is not evidence for (3) is that counting (2) as a reason for (3) would be to engage in a kind of double-counting. This train of thought traces back to the idea that the fact that one believes p is simply a result of the force of the first-order evidence, and not yet another piece of it. The claim is that were we to count the first-order evidence and S's belief that p, we would in effect be counting that first-order evidence twice since S's belief that p is something like a marker or place-holder for that first-order evidence.

There is some pull to this worry, and perhaps Kelly's point holds if we talk about S's belief that p as it stands alone. S's belief is just a product of S's evidence E. However, part of the story was that S is a reasonable individual disposed to respond correctly to the evidence. *This fact* about S together with the fact that S believes p gives us a new *and independent* reason to think that p is true. Since we are justified in believing that S usually gets things right, finding out that S believes p, gives us an independent reason (or is part of one) to think that p is true. So, it seems that counting the higher-order evidence is not simply double-counting the first-order evidence regarding p. Thus, both reasons Kelly gives for thinking that higher-order evidence is not evidence regarding p are defective.

Kelly raises one further objection to conciliatory views, in which he concedes for the sake of argument that higher-order evidence is evidence regarding p. He claims that even if so, discovering a disagreement of the relevant kind does not entail that one ceases to be justified in believing what one does – that discovering such a disagreement does not mandate suspension regarding the disputed proposition. Kelly examines a discovery of the relevant type of disagreement diachronically. Let E be the total first-order evidence regarding p that epistemic peers S1 and S2 each have at t, a time before they discover the disagreement.

E = the original first-order evidence bearing on p.

Suppose S1 believes p on the basis of E and S2 disbelieves p on the basis of E and that E in fact supports believing p. Let E* be the total evidence that S1 and S2 each

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have at t', a time after they have discovered their disagreement. According to Kelly, E* includes the following:

E^* = (i) the original first-order evidence E,
(ii) the fact that S1 is reliable and believes p on the basis of E, and
(iii) the fact that S2 is reliable and disbelieves p on the basis of E.

Kelly claims that there is no reason to think that since S1 now has evidence E* that he will no longer be justified in believing p. S1 and S2 are epistemic peers, so it seems like (ii) and (iii) are to be given equal weight, which in effect reduces E* to E (which supports believing p).

While Kelly only uses this argument to support the claim that suspension of judgment is not required by the discovery of such a disagreement (i.e., that a particularly strong conciliatory view is false), it seems that this argument presents a problem for both strong *and* weak conciliatory views. If (ii) and (iii) are to be given equal weight, they will cancel out and E* will in effect reduce to E. If so, the doxastic attitude that S1 is justified in adopting toward p at t' will be *precisely* what it was at t.

Given that S1 and S2 are epistemic peers it seems that (ii) and (iii) ought to be given equal weight, so the defender of (CV) seems to have a problem – this seems to be a case of a disagreement where the antecedent conditions are met that does not require *any* conciliation. Thus we seem to have a powerful cancelling-out argument against conciliatory views of disagreement.

Kelly (forthcoming) has since explicitly rejected the application of this cancelling-out argument to weak conciliatory views. Kelly claims that since E* contains a greater *proportion of evidence* that supports agnosticism regarding p than E, E* will thus favor p to a lesser degree than E (though it will still favor it). Although this assessment is consistent with weak conciliatory views of disagreement, Kelly's reasoning here is flawed. By adding counterbalanced evidence – evidence that supports agnosticism regarding p – one does not thereby become less justified in believing p. If one did, one's justification for believing p would diminish by simply adding to one's total body of evidence propositions that did not pertain to p at all. Since such evidence supports agnosticism toward p, a greater proportion of one's evidence would now support agnosticism toward p having acquired this evidence. However, in such a scenario one would become no less justified in believing p. The fact that a greater proportion of one's evidence supports agnosticism does not affect what the total body of evidence supports or to what degree. If nothing else, the nature of undercutting defeaters shows that proportionality is not a guide to rationality. An undercutting defeater may be a small proportion of one's evidence regarding p, yet it justificatory effects can be quite dramatic. For these reasons Kelly's diagnosis of the cancelling-out argument is flawed, and both strong and weak conciliatory views seem to be susceptible to it. Nevertheless, I think that

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there are successful responses to this cancelling-out argument for both strong and weak conciliatory views.

A problem with the given example is that it seems as though the bodies of evidence at the respective times have been misrepresented. Usually, the fact that S1 believes p on the basis of E was part of S1's evidence at t, and not just at t'. S1 knew at t what he believed and he knew how reasonable he was. Thus, S1's body of evidence at t should be construed as follows:

$E' =$ (i) the original first-order evidence bearing on p and

(ii) the fact that S1 is reliable and believes p on the basis of E

So, at t, S1 has his own belief coupled with his reliability as part of his evidence in addition to the first-order evidence. The fact that one is reliable and has taken on a given doxastic attitude toward p given the first-order evidence is part of an individual's evidence regarding p even before a disagreement is discovered.

So, even if (ii) and (iii) cancel out in E*, we can see that the discovery of a disagreement still mandates doxastic conciliation. From S1's perspective, even though (iii) cancels out (ii), S1 is epistemically required to make doxastic conciliation towards S2 since (ii) existed without cancellation in S1's original body of evidence E'. S1's newly acquired evidence regarding the existence of a disagreement with S2 has subsequently cancelled out this evidence. Thus, once the bodies of evidence are correctly construed at each time, we can see that a conciliatory view correctly accounts for the case.

Although this response works for some conciliatory views, it is not sufficient to defend strong conciliatory views that claim that suspension of judgment is the justified doxastic attitude to adopt upon the discovery of such a disagreement (Kelly's original target). From what has been said thus far, the doxastic attitude that the original first-order evidence supports will be what is justified for S1 at t'. If (ii) and (iii) cancel out in E*, then the doxastic attitude S1 is justified in adopting toward p at t' will be determined by E alone, and E will not always justify suspension of judgment. Nevertheless, I do think that there are responses to this cancelling-out argument that supporters of even strong conciliatory views can make.[3] One response relies upon a certain conception of evidence and what discovering a disagreement of the relevant kind does to one's body of evidence.

The conception of evidence that I have in mind configures a body of evidence as being composed of two distinct parts: one part that might be considered the evidence proper (what is usually claimed as the evidence), and a second part that contains linking evidence (evidence that links the evidence proper to some proposition). The idea is that propositions are only justified for an individual when that individual has both evidence proper and linking evidence that links that evidence proper to the pertinent proposition.[4] To borrow an example from Conee and Feldman (2001), consider a Logic T.A. and one of his undergraduate students. Suppose that both have evidence that it is not the case that (p and q). Now, it not

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being the case that (p and q) entails that it is the case that (not-p or not-q). However, it seems that the beginning Logic student who has not yet come to be justified in believing DeMorgan's Law is not justified in believing this logical consequence of what he is justified in believing. On the other hand, it seems that the Logic TA is justified in believing this logical consequence of what he is justified in believing. What explains this difference is that the TA possesses linking information that evidentially connects its not being the case that (p and q) to its being the case that (not-p or not-q). The TA is justified in believing DeMorgan's Law and thus possesses the requisite linking information that connects his evidence proper to the proposition that not-p or not-q. It is this linking information that the Logic student lacks. The undergraduate student needs to learn that its not being the case that (p and q) is evidence proper for its being the case that (not-p or not-q) before he is justified in believing this consequence of what he knows.

So, it seems plausible that what is ordinarily seen as an individual's evidence proper is only part of the justificatory story and that there is also a necessary linking component to one's body of evidence. It seems that without this linking component one's evidence proper is often inert with respect to providing justification – even for propositions entailed by it.

Now let's apply this understanding of evidence to the cancelling-out argument. It seems plausible that the discovery of such a disagreement has more evidential impact than we have been supposing if this evidential picture is correct. It seems that discovering that a peer disagrees would also defeat the linking part of one's evidence that connects one's evidence proper to the disputed proposition p. Finding out that a peer disbelieves p on the basis of the first-order evidence that you share gives one a reason to doubt that the linking component of one's evidence is correct – one now has reason to think that the shared evidence is not in fact evidence proper for p; one now has evidence that the requisite link is missing. In discovering the disagreement, one has discovered that someone who is equally as likely to get it right and shares one's evidence has come to a different conclusion as to what the shared evidence is evidence proper for. At t S_1 is justified in believing that E is evidence proper for p since S_1 is a reasonable individual and has believed p on the basis of E. This justifies S_1 in believing that the requisite link exists between E and p. However, in discovering the disagreement, S_1 has discovered that a peer, S_2, disbelieves p on the basis of E. This gives S_1 evidence that the shared evidence is not in fact evidence proper for p (but rather for not-p). Since S_1 and S_2 are peers, it is plausible that this evidence is equally strong and this discovery defeats the support S_1 had for believing that E is evidence proper for p – it defeats S_1's linking evidence.

As we have seen, it is plausible that such linking evidence is critical to one's justification. Thus, if S_1's linking evidence were defeated by the discovery of the disagreement, he would move from something like the evidential position of the Logic TA to something like the evidential position of the undergraduate student and would be no longer justified in believing p. On this conception of evidence,

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such a discovery would seemingly call for suspension of judgment concerning the disputed proposition. So, the evidential impact of the discovery of such a disagreement can be quite significant if this evidential picture is correct.

A *requirement* that there always be a distinct linking component may seem to lead to a vicious regress. However, it is enough for the point here to note that often such a distinct component is needed. Although I cannot here defend this conception of evidence from this charge, I will point out that there seem to be non-arbitrary ways of limiting the requirement of a distinct linking component. Further still, there appear to be ways of rendering the regress harmless by appealing to reflexive evidential states.[5]

Nevertheless, even if this *requirement* for a linking component is too strong, it still seems that the cancelling-out argument is insufficient to raise trouble for strong conciliatory views. Even if there needn't be a linking component to one's evidence, it still seems like the discovery of a disagreement of the relevant kind defeats the support that one's first-order evidence gave to the doxastic attitude one had adopted toward the disputed proposition. According to strong conciliatory views, after the discovery of the disagreement, one becomes justified in suspending judgment as to what one's first-order evidence supports. One has found out that an epistemic peer disagrees as to what the first-order evidence supports, and this defeats whatever support one had for believing that the first-order evidence supports what one believed (the disputed proposition). It seems that if one consciously considers what one's evidence supports and justifiably concludes that suspension of judgment is the proper doxastic attitude to take on toward that proposition, then one's total body of evidence does not justify belief for that individual regarding the first-order proposition even if a linking component is not required. In other words, it seems that such a discovery provides one with an undercutting defeater for one's first-order evidence by way of justifying one in suspending judgment toward the higher-order proposition concerning what one's first-order evidence supports.

Feldman (2005) and Sosa (forthcoming) have each made similar claims regarding the justificatory impact of higher-order evidence. Feldman motivates this claim by imagining an undergraduate student in an epistemology class. It seems that prior to taking the class the student knew numerous propositions about the external world such as that she has hands. Supposing that her skeptical professor has given her convincing arguments that the evidence she had for these claims is no good, it seems that she should suspend judgment as to whether her reasons for these beliefs are any good. However, having correctly concluded that she should suspend judgment regarding this higher-order proposition, it seems that the student no longer knows or is even justified in believing these ordinary propositions about the external world. Thus, it seems that if one's higher-order evidence indicates that one's first-order evidence does not support belief, then one's total body of evidence does not support belief either. Once one reflects and discovers that withholding is the justified attitude toward the claim that one's evidence supports p, one acquires

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a defeater and is at least no longer justified in believing p. In this way, higher-order evidence can have a justificatory effect regarding the disputed propositions even if it is not itself evidence regarding those propositions. An undercutting defeater for S's justification for p is not evidence for or against p, but it does affect S's justification for believing p.

So, it seems that higher-order evidence can have more justificatory impact than the cancelling-out argument acknowledges. If discovery of a disagreement provides one with a rebutting defeater for one's requisite linking information or an undercutting defeater for one's first-order evidence, then suspension of judgment would be the justified doxastic attitude for one to adopt toward the disputed proposition. So, even strong conciliatory views seem safe on this front. There does not appear to be any successful objection to conciliatory views from these considerations regarding higher-order evidence.[6]

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NOTES

1 This closely resembles an example given by Christensen (2007).

2 Here I am assuming the Uniqueness Thesis – that for any body of evidence E and proposition P, E justifies at most one competitor doxastic attitude toward P. For more on this claim see White (2005), Feldman (2007), and Christensen (2007).

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3 Weak conciliatory views will either endorse this first response to the argument or deny that (ii) and (iii) are to be given equal weight. 'Equal weight' views are strong conciliatory views. My remaining responses will focus on the ways for supporters of strong conciliatory views to respond to the cancelling-out argument, so I will be examining responses to the cancelling-out argument that give (ii) and (iii) equal weight.

4 Such a conception of evidence is endorsed by Fumerton (1995, 2005) regarding inferential justification and given sympathetic treatment by Conee and Feldman (2001).

5 For a detailed defense of this claim, see Rogers and Matheson (forthcoming).

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