Standing Your Ground

Epistemic Justification in the Face of Disagreement

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This dissertation by Andrew Rotondo is accepted in its present form by the Department of Philosophy as satisfying the dissertation requirement for the degree of Doctor of Philosophy.

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Preface

The epistemology of disagreement has become a “hot topic” in philosophy recently. And with very good reason. First, the basic question driving the discussion – whether disagreement with others undermines our knowledge or justification – has clear and obvious relevance to how we view our own opinions on a range of interesting and important, yet controversial, issues that we each care about (e.g., moral, religious, and, of course, philosophical issues). The possibility that disagreement would undermine our justification for such opinions – bringing about a kind of intellectual skepticism (as opposed to, say, traditional external world skepticism) - is a naturally fascinating topic for intellectual folks.

But beyond this captivating aspect, it turns out that the epistemology of disagreement is a direct gateway to several important and fundamental general epistemological questions and problems. For example (and as we will see in this dissertation), it raises important questions about the nature of epistemic undermining, epistemic circularity, the epistemology of memory, and the basic structure of epistemic justification itself. The epistemology of disagreement is, thus, both fascinating per se and potentially quite fruitful in the broader epistemological context. And it is my hope that the positions developed and defended in this dissertation constitute a good example of this kind of jointly valuable epistemological enterprise.
A Synopsis of this Dissertation

There is a *prima facie* rather compelling skeptical position on disagreement. It is defended by several philosophers. And it says that most of our opinions on controversial topics are unjustified. One of my main aims in this dissertation is to argue *against* this position and offer an alternative, non-skeptical epistemology of disagreement in its place. In the first three chapters, I explain the structure of the skeptical position, explain what motivates it, and then critically examine it, arguing that at least one key tenet of the position is false. I lay out the framework for my non-skeptical alternative.

In Chapter 3, I also place the epistemology of disagreement within the wider context of *epistemic undermining* in general. I offer a new theory of epistemic undermining, which I aim to show to be both independently plausible and also able to explain and support the non-skeptical view on disagreement. Part of this involves a discussion of *epistemic circularity*, where I argue that a certain kind of circular reasoning is acceptable.

Although I argue for a non-skeptical position, it is extremely plausible (as we will see) that disagreement can, and often does, undermine our justification *to some extent*. This raises important questions about when, and to what extent, disagreement has this undermining effect. I take up these questions in Chapter 4, where I try to show how the justification for our controversial opinions can sometimes be significantly undermined by disagreement, but also that, in an important range of cases, it is not. I propose that there is a particular dimension of epistemic justification (which I call *thickness*) that is important
for understanding the dynamics of epistemic undermining, and I explain how the skeptical position fails to account for this.

Finally, in Chapter 5, I take up some important questions about how these views on undermining and disagreement fit in with the way that we actually form and hold our beliefs over time. It turns out that my positions on undermining and disagreement do not comport well with some popular theories in the *epistemology of memory*. I try to show, for independent reasons, that those standard theories are implausible. I offer an alternative theory of memory justification and argue that this view is both independently plausible and also fits in nicely with the positions on undermining and disagreement defended earlier.
I’d like to thank my family and friends for their love and support during my years in graduate school. I’d also like to acknowledge the professors and graduate students at Brown University and elsewhere that I’ve talked with and learned from. The readers on my dissertation committee - Joshua Schechter, Ernest Sosa, and James Van Cleve – each deserve hearty thanks for their efforts, encouragement, thoughtful criticism, and helpful suggestions. And, finally, my advisor, David Christensen, deserves special mention. David has been extraordinarily generous with his time, provided extensive, detailed and penetrating comments on this entire dissertation, and been a friend and supporter on matters both personal and professional. I offer my sincere thanks.
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CHAPTER 1

Controversy and Conciliationism

1. Introduction

We all have controversial opinions – opinions about topics for which there is wide-spread and persistent disagreement. Nowhere is this more evident than in academic philosophy, where lively (some may even say, combative) disagreement about virtually anything and everything is a way of life. But you obviously don’t need to be an academic philosopher to be familiar with controversy. Any reflective and educated adult will realize that he holds opinions contrary to others on a host of moral, political, religious, social, aesthetic, historical, economic, philosophical, and even some scientific issues. And while the subject matter of our controversial opinions can be theoretical or abstract, it certainly needn’t be. There is plenty of controversy about everyday issues such as those involved in child-rearing, career choices, personal finances, and the duties to friends and family.

When I say that these opinions are controversial, I don’t mean that they are necessarily radical. You needn’t believe something that virtually no one else believes in order to hold a controversial opinion. In fact, controversial opinions are typically shared by large numbers of people. What is important is just that lots of other people out there hold conflicting opinions. And regardless of what your opinions are in the domains that
I’ve mentioned, so long as you have any opinions whatsoever about those issues, lots of people disagree with you.

Disagreement about controversial issues is often, though it needn’t always be, persistent and entrenched in a distinctive way. By this, I mean that it is often the case that no evidence that is readily available will resolve the disagreement. When people disagree about controversial issues it is often the case that they don’t change each other’s minds by introducing a new piece of evidence, argument, or thought experiment. Contrast what would happen if, e.g., you went to a party and found yourself in a disagreement with someone about who was the fourth President of the United States. In that case, consulting a reputable encyclopedia would resolve the dispute. It would provide evidence that both parties would (typically) accept as conclusive on the matter. Things are often not like this when it comes to our controversial opinions. For many such disagreements, both parties seem to (more or less) share the relevant evidence and the dispute seems to turn on their opposing evaluations or assessments of that evidence. In those cases, which do not seem unusual, the disagreement can be particularly entrenched and it isn’t surprising that such disagreements persist for years or even life-times.

So, we all have controversial opinions and many of them aren’t going away any time soon. This is not a surprising claim. But what would you think if someone made the following claims as well: that you aren’t epistemically justified in holding most of your controversial opinions; that you should, epistemically speaking, give them up; that you are displaying a tremendous degree of epistemic irrationality in believing the way that you currently do about all those topics; and, finally, that the reason for this isn’t that you’ve necessarily misevaluated the evidence or arguments that directly bear on the
controversial topics themselves, but, rather, it is just because you are aware of the widespread disagreement about those topics.

If someone were to make these claims, he would be, at the least, making some claims that are very interesting. For if he could back them up, he would be showing something of great epistemic significance. It would be no trivial discovery if it turned out that most of our controversial opinions are unjustified simply because they are disputed in the way that they are. It would be a prescription for massive belief revision, and not only that; it would also be a prescription for a pervasive and lasting agnosticism about a great many issues that we care about. On the eminently reasonable hypothesis that consensus on controversial issues will not be forthcoming at any point in the remotely near future, or probably ever, people would need to remain neutral about all those disputed issues for the foreseeable future if they were to be epistemically rational. This would be a very different kind of cognitive life from that which people are familiar with, a kind of skeptical and detached way of life very foreign to us. So, if someone were to claim that most of our controversial opinions are unjustified because of disagreement, he would be advancing a very substantial epistemological thesis.

Well, it turns out that several prominent epistemologists recently have been advancing that thesis. We can call this view conciliationism. And despite its radical consequences, the epistemologists who support conciliationism have offered some powerful and compelling arguments and thought experiments in support of it.

If they are right, then disagreement poses an epistemic problem that is very different from the traditional skeptical worries that philosophers have long been focused on, and is, in a way, much more disturbing. In this chapter, I will begin to explain what
motivates conciliationism. I will then explain how it is importantly different from traditional skeptical worries, and why it is a view worth examining.

2. Outline of Conciliationism

It certainly isn’t immediately obvious that disagreement destroys the justification that we may have had otherwise. But conciliationism can be motivated from some compelling thought experiments, arguments, and plausible general principles. Although I will ultimately argue against conciliationism, my goal is to first make the strongest case possible for it, allowing us to see why it’s a position worth taking seriously and why several prominent epistemologists are attracted to it.

2.1 Intuitive Examples

Let’s begin by considering some simple cases of disagreement between two people of matched abilities. For example:

*Trivia:* you and some friends are playing a trivia game. You and one particular friend, Travis, often play trivia games together. You are both highly skilled at the art of retaining all kinds of information, trivial or not, about the world. Much of the time, you and Travis just find yourselves believing the correct answers with no memory of how you learned these things. They are simply stored in your minds. Most of the time, you and Travis agree in your answers. In the relatively
rare cases when you and Travis have diverged on the answers to trivia questions, you have found that he is right about just as much of the time as you. As you play now, the question of what is the smallest continent in the world is asked. You find yourself thinking, with very high confidence, that the answer is Australia, although, as is common, you don’t know how or where you learned that. But then, to your surprise, you hear Travis announce that the answer is Antarctica. You ask him why he thinks that and he also can’t cite how or where he is getting the answer. Like you, he simply feels highly confident that his answer is correct.

How confident should you be in your initial answer? There is considerable intuitive pull for thinking that you should lower your confidence significantly, at least roughly to the point of suspending judgment, when you find out your friend disagrees with you about the answer in this case. After all, you know that your friend has the same general ability to get questions like this right and you have no special reason for thinking that you are right in this case.

David Christensen (2009) offers a similar case involving mathematical calculation:

**Mental Math:** You and your friend have been going out to dinner together regularly for many years. You always tip 20% and split the check (with each person's share rounded up to the nearest dollar), and you always each do the requisite calculation in your head upon receiving the check. Most of the time you have agreed, but in the instances when you haven’t, you’ve taken out a calculator
to check; over the years, you and your friend have been right in these situations equally often. Tonight, you figure out that your shares are $43, and become quite confident of this. But then your friend announces that she figures your shares at $45. Neither of you has had more wine or coffee, and you don’t feel (nor does your friend appear) especially tired or especially perky. How confident should you now be that your shares are $43? Many people agree that in this sort of case, strong conciliation is called for: you should become much less confident in $43—indeed, you should be about as confident in $45 as in $43. (p. 757)

While these two cases elicit similar reactions in many people, notice that they are involve different types of reasoning processes. In Trivia, what’s being employed is some kind of memory recall process. In Mental Math, the dispute centers on the result of a deductive-mathematical process. It’s worth noting this because we want to be careful about what exactly our intuitions about particular cases are telling us. If they are driven by peculiarities that don’t apply to disagreements in general, then they are of limited significance as data in our theorizing. If we are looking to discover epistemic facts about disagreements in general, then it’s important that that our intuitions line up in a wide range of cases involving a variety of reasoning processes.

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1 To keep our intuitions on track here, it’s important to keep in mind that the disagreement in Mental Math occurs after a relatively quick mental calculation. The question is about what doxastic attitude you should have about the shares of the bill at that point. Obviously, if such disagreement occurred, a natural thing to do would be to carefully go through the calculation again, perhaps on paper. What you would be justified in believing after doing such a check might be very different than what you were justified in believing immediately upon discovering the disagreement. But, again, we are interested here in what you would be justified in believing immediately upon discovering the disagreement.

The reader might wonder why we would be so interested in knowing the answer to this question since your justificatory state upon discovering the disagreement might very quickly change by doing a careful check of the calculation. But, as noted in section 1, for many opinions about controversial issues, there won’t be any further careful checking procedure by which disputes can be cleared up. Instead the epistemic effects of the disagreement will be either lingering or permanent.
Consider, then, a case from Christensen (2007) involving the assessment of relatively complex bodies of information and the employment of certain “similarity judgments”:

Suppose I’m a meteorologist who has access to current weather data provided by National Oceanic and Atmospheric Administration, the National Weather Service, etc., and that I have learned to apply various models to use this data in making predictions. To make this less like the restaurant case and more like many cases of real-life disagreement, let us suppose that applying the models is not just a matter of clear-cut calculation--say, it involves similarity judgments. After thoroughly studying the data and applying the various models I know, I come to have a 55% level of credence in rain tomorrow. But then I learn that my classmate from meteorology school—who has thoroughly studied the same data, knows the same models, etc.--has arrived at only a 45% level of credence. We may even suppose that we have accumulated extensive track records of past predictions, and she and I have done equally well. (We might have been scored by Brier score on our probabilistic forecasts, or asked to answer yes/no questions, and scored for percentage correct.) Should I take her opinion into account and reduce my confidence in rain?

It seems obvious to me that, absent some special reason for thinking that I had some advantage over her in making this forecast, I should revise my belief. (pp. 193-4)
This example takes us a bit closer to some of the complicated disputes that are ultimately of interest to us here, disputes where the reasoning processes that we have to employ in reaching our conclusions are not straightforward or simple. We employ complex reasoning in forming our opinions about moral, social, political, and philosophical issues. Our evidence is complicated and the processes involved in assessing that evidence and making judgments are somewhat obscure. But the exact nature of the reasoning doesn’t seem to be what matters in our evaluation of the cases that we are considering. The salient feature of the examples we’ve considered seems to be the idea that the two disputants have good grounds for taking each other to be epistemic equals in an important sense. They have evidence that each has the same general ability to get things right in the domain in question, be it trivia questions about geography, mental mathematical calculations of a certain sophistication, or assessment and prediction of weather based on meteorological evidence. The particular kinds of issues in dispute and attendant reasoning processes involved are not what is important, but, rather, it is the fact that they have grounds for taking each other to be at least roughly as good at arriving at the correct answer.

2.2 The Independence Principle

But why is that important? Let me put the question this way: why does it matter if you have a reason to think that someone else is generally as likely as you are to be right when you are dealing with a particular issue about which you disagree? Can’t you reasonably
think that, despite your opponent having the same general ability that you have to form true beliefs in the given domain, that he has simply got it wrong this time?

Certainly we can do that in the case of some disagreements. Sometimes we disagree with generally smart and capable people who simply don’t have access to important evidence that we do. (For example, you may know better than someone else who disagrees with you about it what happened in Tom and Mary’s relationship because Tom confided in you about it.) Other times, we may have a special reason to think that someone’s reasoning is likely to be biased. (For example, after watching a dance recital, you may disagree with Suzy’s glowing assessment of her daughter’s ballet abilities, yet not be too worried about her disagreement because you reasonably believe that people tend to overrate the abilities of their children.)

But what reason would you have for thinking that you were the one who got it right in Trivia, Mental Math, and the weather forecaster case? Could you think that your opinion must be right simply because it’s yours? That would certainly not be a genuinely epistemic reason for believing that you are right. What about the fact that it seems to you that your answer is right? The problem with this is that it seems to your opponent that his answer is right. And you know that when things seem to him to be a certain way in the given domain, he is generally just as likely to be right as you are when things seem to you to be a certain way in that domain. What special reason do you have for thinking that your seeming is the accurate one in this case? Again, the answer can’t just be: because it’s yours.

But what about the reasoning that you used to form your disputed opinion in the first place? Couldn’t that give you a reason to think that your friend is wrong in this
particular case? For example, couldn’t the meteorological data, along with your application of certain models, provide you with a reason for thinking that you are right about your weather prediction and your friend is wrong? According to conciliationists, the answer is that it can’t. This is a fundamental piece of the conciliationist view. We can call this the Independence Principle. The idea is, very roughly, that when you have justification for believing that your opponent is generally as likely as you to be right, what you have reason to believe about who is right in the particular dispute cannot include the very reasoning that is in dispute.² We can understand ‘the reasoning that is in dispute’ to refer to the direct evidence for the issue in dispute as well as your assessment of how that evidence bears on the truth or falsity of the issue in dispute. I will say a lot more about this in later chapters, but for now it’s just important to get the rough idea and start to see why conciliationists believe the Independence Principle. The reason they do is that they think it is necessary to avoid a kind of vicious circularity or question-begging. To see what they are getting at, let’s consider how the Mental Math scenario could unfold diachronically, in a way that will bring out the force of the circularity worry.

Imagine that you are sitting there with your friend at the restaurant after the meal but before you have received the check. You are reminiscing about the many times that you have dined together and how you both always enjoy the intellectual challenge of calculating even shares of the bill in your heads. You remark on how your friend is quite good at this and he returns the compliment. You both agree that for the few times that you have disagreed about the amount of the shares, it

² For a list of philosophers who endorse this idea, see Chapter 3, footnote 3.
seems as though the distribution of errors was pretty much even between the both of you.

“So”, your friend says, “if we disagree about the amount tonight when we do the calculations in our heads, who do you think is more likely to be right?”.

“Well”, you reply, “we both seem to be pretty clear-headed, etc., so I think that neither of us is more likely than the other to make an error”.

“Let me clarify”, says your friend. “Say that when the check comes we both do our own mental calculations and you say that the shares are some number $n$ and I say that they are some other number $m$. If you have made the error, that means that although you think that the shares are $n$ and you have calculated that the shares are $n$, they aren’t really $n$? Is that the right way to describe it?”

“Yes”, you say.

“And, if we disagree, you think that we are both equally likely to have erred in just that kind of way?”, your friend asks.

“Yes”.

Just then the waiter brings the check. You and your friend go to it and you announce $43$ at about the same time that your friend announces $45$. You both laugh, surprised that someone has made an error when you were just talking about that very possibility.

“Wow”, says your friend. “It looks as though what I just described has happened here. One of us has calculated that the shares are some particular number even though they really aren’t that number.”
“Yes”, you say. “But I’m happy that it isn’t me who made the erroneous calculation.”

“How do you know?”, asks your friend.

“Because”, you say, “The shares are $43 and that’s what I calculated.”

Conciliationists say that certainly this can’t give you a rational basis for believing that you haven’t made the error. You agreed a moment ago that you were just as likely as your friend to have erred in exactly that kind of calculation, given that there is a disagreement. Now you are appealing to that very calculation as a ground for believing that you haven’t made an error. This is viciously circular or question-begging.

This, then, answers our question of why we can’t think that someone whom we take to be generally as reliable as us is wrong this time when all we have to go on is the reasoning in dispute. And it means that anytime that we disagree with such a person, where no dispute-independent reason is available to us for thinking that we are right and he is wrong, we will have no good reason to think that he is wrong. We will then be left stuck with reason for thinking that he is just as likely as we are to be right. And since he thinks that ¬P and we think that P, we will be left with reason for thinking that ¬P is just as likely to be true as P. We will, thus, not be justified in believing that P.

2.3 The Relevant Disagreement Condition

At this point, we have a prima facie compelling case for the idea that disagreement, at least sometimes, can be a reason to give up our opinions. But that doesn’t get us to
conciliationism. To get there, it’s not enough to think that disagreement can sometimes be a reason for giving up our opinions. We have to think that it is reason to give up our opinions a lot of the time, and specifically about matters for which controversy abounds. The toy cases that we have considered do not deal with such issues. So, we have yet to see that whatever problem disagreement may present in the toy cases will generalize to cover our controversial opinions.

What we need to get all the way to conciliationism via this route is the following idea: that for a substantial number of our beliefs about controversial issues, we disagree with a relevant number of people for whom we have dispute-independent grounds for thinking that they are just as likely as we are to be right. Let’s call this the Relevant Disagreement Condition. If this condition obtains, then combined with the Independence Principle, conciliationism will follow. It would mean that we disagree with a large number of people whom we should take to be our epistemic equals in general, and, in the case of disputes about controversial matters, that we have no good reason to think that we are getting things right while they aren’t.

Conciliationists think that the relevant disagreement condition does indeed obtain. They say that we should often think that our opponents are generally as smart, thoughtful, familiar with the relevant evidence, careful in evaluating that evidence, and sincere. Apart from the issues in dispute, we should think that they are at least as likely as we are to be right. As it is sometimes put, they are “epistemic peers”.

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3 The term comes from Gutting (1982) but it is employed in subtly different ways throughout the literature on disagreement. There are stronger and weaker senses of an epistemic peer. I will define and use a strong sense of ‘epistemic peer’ in Chapter 2.
3. Implications

Think of the situation in academic philosophy. If you are seriously involved in this field, you probably hold several opinions about various philosophical topics which you know to be disputed by many others. And you probably know that many of those who dispute your opinions are very smart, capable individuals who have thought about the philosophical issues carefully. Putting aside your philosophical disputes with these people, it seems plausible that you would think them at least as likely as you to come up with correct answers about those issues. In fact, you may think that many of them would even be more likely than you to arrive at the correct answer. Many of the leading minds in our field have tremendous general cognitive ability and unless you rank among them, why wouldn’t you think that you are less likely to be right in a dispute when you put aside the contested reasoning itself?\(^4\) Regardless, so long at is true that a sufficient number of people disagree who are least epistemic peers on the philosophical issues in dispute, then disagreement defeats or precludes the justification of at least large segments of philosophical opinion.

Conciliationists have generally acknowledged this to be the case in philosophy. Sanford Goldberg (2009) puts it like this:

> Among the philosophical views that compete with mine, a good many are held by normally functioning people who are at least as intelligent and philosophically competent as I am, work at least as hard and as carefully as I do, and have the

\(^4\) Frances (2010) argues that our opinions about many philosophical issues are not justified for exactly this reason.
same or better access to the relevant evidence as I have. Under these circumstances it would be nothing short of miraculous if a preponderance of my beliefs on contested philosophical matters are true. (p. 106)

Goldberg is definitely not saying that what he takes to be a miracle has occurred. Rather, he is taking the idea that it would have to be miracle if his beliefs were right as a defeater of his justification for those beliefs. We can think of it this way: if we should think that our opponents on philosophical matters are just as likely as we are to be right and we have lots of disagreements about philosophical issues, then the probability of being right on all of those issues is incredibly small. It would not be reasonable to think that that we are right about even most of them if all we have to go on is the dispute-independent probability.

Hilary Kornblith (2010) agrees about the implications for philosophy and thinks that the problem extends much further:

I am thus forced to conclude, very reluctantly, that the opinions I hold on most philosophical matters—and I have a great many of them—are not epistemically justified. Given the current state of the field, no one’s opinions on these matters, it now seems to me, are epistemically justified.

More than this, this conclusion seems to generalize quite broadly. There are, for example, a great many moral and political issues, issues about which I have, in some cases, rather strong opinions, which are subjects of dispute among
very intelligent, thoughtful and well-informed individuals. [. . .] And what follows from this, of course, is that a broad skepticism threatens. (pp. 46-7)

The fact that Kornblith is talking largely about his own opinions is not what is important. He clearly thinks that the same holds for our opinions. So, along with “most philosophical matters”, Kornblith thinks that opinions on “a great many moral and political issues” are unjustified because of widespread disagreement. And, importantly, note he takes the latter to be just two examples of subjects for which the epistemic problem of disagreement “seems to generalize quite broadly”.

Richard Feldman (2006) concurs:

It is a familiar fact that there is widespread and robust disagreement about many of the most prominent issues in our intellectual lives. This is quite obviously true in epistemology itself, as well as in philosophy more generally. There is similar disagreement about religious matters, many scientific topics, and many issues of public policy. In all these areas, informed and intelligent people disagree with one another. [. . .] My conclusion will be that, more often than we might have thought, suspension of judgment is the epistemically proper attitude. It follows that in such cases we lack reasonable belief and so, at least on standard conceptions, knowledge. (2006, p. 217)

Note that Feldman has added to the list “religious matters, many scientific topics, and many issues of public policy”.
Christensen (2007) suggests that “areas of morality, religion, politics, and economics, and, unfortunately, philosophy” are such that widespread disagreement with epistemic peers will defeat the justification that we might have had for our opinions otherwise (p. 214).

I think it’s fair, then, to classify these epistemologists as conciliationists. In their work, it seems clear that accept both the Independence Principle and the Relevant Disagreement Condition, which I claim to be the two fundamental pieces of conciliationism. The upshot of this is a striking position. It says that a substantial portion of our opinions on controversial topics are not justified just because of the disagreement that exists. That means that none of us have justified opinions on those matters, regardless of how carefully we’ve considered those issues and what position we’ve taken on them (so long as we’ve taken some position on them). Massive belief revision is prescribed.

4. Taking Stock

The fact that there are actual conciliationists, as opposed to merely possible ones, makes this position more interesting than it would have been otherwise. There are lots of theoretically possible positions in philosophy that no one actually holds. There is often good reason for this: because the positions are very implausible. But when smart people endorse a certain theoretical possibility, it gives some reason to think that there may be something to it. There is, at least, some element of it that has the appearance of truth so much so that it is attracting able minds. So, even if it turns out to be a false view, there is
probably an interesting reason why it seemed to be true, something that may further our understanding of the topic. So, I think that the fact that several smart epistemologists have been attracted to conciliationism indicates that, at the least, we have something significant to learn by examining the position.

More importantly, however, conciliationism is theoretically interesting and *prima facie* compelling on its own. The two main elements – the Independence Principle and the Relevant Disagreement Condition – have considerable plausibility. And the striking skeptical implications for our intellectual lives make conciliationism a fascinating and (frankly) disturbing position. It is not merely arcane theoretical interest that has brought so much recent attention to the epistemology of disagreement. Many of those introduced to the conciliationist idea presumably feel the personal, intellectual threat that the position poses. As philosophers, or simply rational individuals, we care about having justified, evidence-supported, beliefs about a range of controversial issues that are interesting and important to us. If conciliationism is true, we simply can’t have such beliefs.

I think that this would amount to an *intellectual disaster*. However, as rational inquirers, we can’t dismiss a theory as false just because we don’t *like* the consequences. And, as I’ll argue next, I don’t think that we can dismiss conciliationism in the same way that we can other skeptical positions.
5. Conciliationism and Skepticism

There are several well-known forms of radical skepticism in epistemology but very few actual skeptics. Radical skepticism is almost universally taken to be unreasonable or even absurd. But I don’t think that we can easily place conciliationism in that category. It is, to borrow Bryan Frances’ (2005) apt phrase, a “live” skeptical hypothesis.

To see why, let’s get more specific about the skeptical nature of conciliationism. First, let’s note that conciliationism deals with epistemic justification (or epistemic rationality). That distinguishes it from forms of skepticism that are targeted directly at knowledge or certainty. Skepticism about justification may be, in an important sense, a deeper and more problematic kind of skepticism. It may be no great intellectual tragedy if, e.g., it turns out that we lack any genuine knowledge yet have an abundance of highly justified true beliefs. But if we have no justification, or at least a lot less than we assumed, things seem worse. Our beliefs (or some large portion of them) would lack any positive epistemic status. Worse, they would presumably have negative epistemic status as they would be beliefs that (epistemically speaking) shouldn’t be held. And, on the attractive and popular view that knowledge requires justification, skepticism about justification is a more potent form of skepticism because it denies both justification and (as an implication) knowledge as well.

Of course, skeptical theories about justification vary widely depending upon their scope. At the extreme end of the spectrum are forms of global skepticism about

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5 For example, in the Meditations and other work, Descartes is concerned with certainty, which he may identify with knowledge.

6 Fans of the so-called “knowledge first” way of thinking, following the important work of Timothy Williamson (2000), will find this way of thinking about the problem to be misguided.
justification – views that claim that there is no epistemic justification. These views are highly problematic. In addition to being implausible – the idea that none of our beliefs are justified seems very hard to believe – they face difficult and troubling self-defeat problems. (How can a global skeptic give us as reason to believe that, in effect, there are no reasons to believe anything?) Analyzing and responding to these issues is, however, tricky business and, fortunately, we can set those tasks aside. Conciliationism isn’t a global skepticism. It is part of a family of local skeptical views. These views target specific domains of thought or specific types of propositions and claim that we don’t have justification for them, leaving intact our justification for everything else. They thus (at least partially) avoid the problems facing global skepticism about justification. How radical they are depends upon the scope of the size of the domain of thought or propositions for which they deny justification.

Conciliationism leaves intact much of our justification. There’s a tremendous body of thought and set of propositions for which few disagree, and for which we have independent reasons for thinking that those who disagree are likely to be wrong (e.g., because they are children or those without education or training). Conciliationism is, then, much less radical then several other skeptical views. These include more than just global skeptical views. Many of the skeptical theories that we’re familiar with – skepticism about the external world, other minds, the past, and the future – are more radical than conciliationism. By more radical, I mean that they imply that a larger volume of our beliefs are unjustified. While we have lots of controversial beliefs, they are presumably vastly outnumbered by our quotidian beliefs about the external world and our

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7 Conciliationism doesn’t escape so easily, however. That’s because it seems to face its own self-defeat problem. For a brief description of the problem and some references, see Chapter 4, section 3.2.
beliefs about the past and future (which include beliefs about our past and future mental states along with beliefs about the external world). So, skepticism about those domains is far more radical.

This is an important difference between conciliationism and other forms of skepticism. Those other, more radical forms, suffer from their radicalism itself. One of the reasons that virtually nobody is a skeptic about, say, the external world is that the view is fairly absurd. The idea that we aren’t justified in believing any of the innumerable things, significant and insignificant, about the external world around us seems so implausible to most of us that it is often taken to be a *reductio ad absurdum* of the skeptic’s motivating principles. There is a long tradition in philosophy of attempting to refute skepticism about the external world; and many different anti-skeptical epistemological theories have been offered. But one thing that virtually all epistemologists seem to share in common is the fairly unshakable view that we must be justified in believing some of the things that we do about the external world and that there must be something wrong with any theory that tells us otherwise. The same thing applies for skepticism about the past, the future, and other minds. It just seems overwhelmingly plausible that some of our ordinary beliefs about those things are justified. The skeptical theories are then viewed as interesting and difficult philosophical paradoxes that can tell us something about the nature or structure of epistemic justification. They are akin to other paradoxes such as Zeno’s paradoxes of motion or the Sorites paradox where, going in, we already believe that there is something wrong with the conclusion, and the challenge is to figure out what is wrong with the argument.

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8 Remember, I’m talking about skepticism about *justification* here. I say this just because skepticism about *knowledge* or *certainty* of all of these things may be much more plausible.
I take it that the reason that we are so confident that the skeptical positions are false has to do with the directness and obviousness of many of the beliefs that are their targets. My beliefs that I’m looking at a computer monitor, that I’m sitting in front of my desk, that I have a body, that I’ve lived in this apartment for some time, that there are many other people that I’ve known for a long time that I talk to and interact with often, etc. are so overwhelming plausible and cohere so well with everything that feels and seems to me to be true, that I balk at the idea that it’s not reasonable for me to believe these things. The skeptic’s arguments seem weak and unconvincing in comparison.\footnote{Compare Moore’s reasoning in “Hume’s Theory Examined”, published in his 1953.}

Things are markedly different when we consider our controversial opinions. For many of us, at least, there is a difference in the vividness and total force with which various controversial propositions seem true or false to us. It is very clear that there is computer screen in front of me. But it is not nearly as clear to me that, say, consequentialism in ethics is false. That latter does seem true to me, but the reasons that I reject consequentialism are admittedly complicated. There are certain cases that I think that I can imagine where it seems to me that what is the right thing to do does not produce the best consequences. And the various moves that consequentialists try to make to handle these types of scenarios seem unconvincing to me. Still, it is not as clear to me that this is right as it is that there is a computer screen in front of me. The failing of consequentialism is more theoretical and abstract than the appearance of the computer screen. There are more ancillary doubts or questions. I recognize that ethical theory is very complex and that I am relatively ill-equipped to understand the intricacies involved. Perhaps more importantly, there are several compelling considerations in favor of consequentialism. It is not as though it seems to me in every way that consequentialism is
false. It just seems that the balance of reasons goes against consequentialism. But such balancing is a subtle and difficult affair, and I recognize that. In contrast, if there is any balancing of reasoning involved in forming my belief that there is a computer screen in front of me, it’s not subtle. The idea that there’s a computer screen in front of me completely dominates. In general, I think that our controversial opinions are more tentative, speculative, and surrounded by doubts than our ordinary, common sense opinions. Hence, a skeptical position about our controversial opinions seems much more plausible than a skeptical position about our common sense opinions.

Since conciliationism leaves our ordinary, common sense opinions untouched and only claims that our controversial opinions are unjustified, it has a significant dialectical and evidential advantage over familiar forms of skepticism. We can’t confidently dismiss the position as a reductio ad absurdum or as simply a fascinating paradox with an obviously false conclusion.\(^{10}\) Instead, if we are to justifiably reject conciliationism, we must precisely locate and understand the flaw (or flaws) in the argument for it.

This puts conciliationism in a unique position among the field of skeptical theories about justification. I think that philosophers who learn about the conciliationist position should be quite worried that their controversial opinions are indeed not justified. Conciliationism is (or should be), then, a source of epistemological unease or worry in a way that many traditional forms of skepticism aren’t. Conciliationism is moderate enough to retain plausibility, yet troubling enough to demand attention.

\(^{10}\) I will, however, raise some questions about this in the next chapter.
CHAPTER 2

The Relevant Disagreement Condition

In Chapter 1, we saw that conciliationism rests on two core theses – the Independence Principle and the Relevant Disagreement Condition. We’ll begin our critical examination of conciliationism by considering the Relevant Disagreement Condition. This is the claim that, for a wide range of controversial issues, we have dispute-independent grounds for believing that our opponents are just as likely as we are to be right. Our question now is whether we should think that this is true.

1. Artificial Opponents

The people that we disagree with about controversial issues are often generally smart, capable folks. In many cases, they are relatively well-educated, have occupations that require significant skill or expertise of various kinds, have general social abilities, are able to manage their finances and plan their lives fairly well, etc. Beyond this, we agree with them on a great number of issues, from everyday mundane facts all the way to many historical, social, moral, and scientific issues. But do considerations such as these really provide us with dispute-independent grounds for believing that these people are just as likely as we are to be right about the controversial issues about which we disagree?
It’s interesting to note that actual conciliationists haven’t provided much of an answer to this question. To motive their view, they have instead appealed to some simple, and importantly artificial, cases of disagreement. Perhaps the most well-known and cited example to bolster support for conciliationism is David Christensen’s (2007) restaurant case (p. 193). Here’s a more recent, succinct formulation of that case:

**Mental Math:** You and your friend have been going out to dinner together regularly for many years. You always tip 20% and split the check (with each person's share rounded up to the nearest dollar), and you always each do the requisite calculation in your head upon receiving the check. Most of the time you have agreed, but in the instances when you haven’t, you’ve taken out a calculator to check; over the years, you and your friend have been right in these situations equally often. Tonight, you figure out that your shares are $43, and become quite confident of this. But then your friend announces that she figures your shares at $45. Neither of you has had more wine or coffee, and you don’t feel (nor does your friend appear) especially tired or especially perky. How confident should you now be that your shares are $43? Many people agree that in this sort of case, strong conciliation is called for: you should become much less confident in $43—indeed, you should be about as confident in $45 as in $43. (Christensen, 2009, p. 757)

Notice that here, the diners have a history of having calculated their shares of the bill in their heads when they dine together and have a track record of agreement in doing that.
Additionally, it is even stipulated that when they have disagreed in the past, not only have they each been wrong an equal amount of the time, but they have also each come to see who is wrong in all of the cases; so all previous disagreement has actually been cleared up and replaced by agreement once the requisite recalculations were performed. There is, then, a very strong, mutually-acknowledged background of agreement and a mutual acceptance of equal reliability when it comes to the relevant type of mental calculations. This gives each of the diners very robust dispute-independent grounds for believing that his friend is just as likely as he is to be right in the case of a dispute.

Christensen’s (2007) case of a disagreement between two weather forecasters builds in the same kind of details (pp. 193-4). Each of the meteorologists acknowledges a substantial track-record of agreement with his opponent. And they each know the other to have an equal degree of reliability in their ability to forecast. Adam Elga’s (2007) case of disagreement between a hypothetical version of yourself and a friend about the outcome of a horse race also stipulates that, before the disagreement occurs, you believe that your friend is as reliable as you at judging the outcomes of horse races (p. 486). The same kind of information is built into Elga’s (2007) case of a disagreement about a complex multiplication problem (p. 492).

There are two aspects of the track-record information that seem relevant: the first is undisputed evidence about a significant shared history of agreement. This is just evidence that, in the past, you and your opponent have both formed many opinions in the same relevant domain as the issue now in dispute, and, in the past, you largely agreed with your opponent on these matters. The second aspect of track-record information that is relevant is undisputed evidence of comparative reliability when it comes to past
disagreements. These are strong grounds for thinking that your opponent messes up at a rate (at least roughly) equal to the rate that you do in forming judgments in the relevant domain. It is extremely plausible to think that both of these types of evidence have significant bearing on what one should do in the case of a disagreement.

2. Opponents in the Real World

But when we consider most real-world disagreements about controversial matters, unlike the toy examples that conciliationists use to motivate their view, it is, at best, unclear that we have either type of track-record evidence. Take, e.g., political disputes. These constitute a particularly striking class of disagreements where not only do we seem to lack track-record evidence of agreement and comparative reliability, but it typically feels to us as though we have evidence for the exact opposite: we can typically point to a substantial history of disagreement with our opponents and also typically think that our opponents are systematically much less reliable than we are in forming accurate opinions in the political domain. When we have disagreed in the past, the disagreements have typically not been resolved. If you are, say, a conservative Republican disagreeing with a liberal Democrat about whether we should raise taxes, you have good evidence for believing that your opponent has disagreed with you about a wide-range of economic and tax-related issues in the past. And you also have good grounds for thinking that those disputes have not, and will not, be resolved in a way where both people come to agree on what the right answer is.
Things are similar in the religious domain. Believers presumably see a history of disagreement rather than agreement with unbelievers, and *vice versa*. And, again, disputes are typically not resolved.

Our view of our opponents in the political and religious realms may be somewhat extreme cases of what I’m trying to describe here, but I think that we can say the same thing about several other types of dispute, albeit to a lesser degree. Take our own field, philosophy. There is, obviously, a fair amount of disagreement in the field. But at the same time, I take it that many of us don’t feel the same way about our philosophical opponents as we do about, say, our political opponents. We don’t see them as wildly unreliable to the point of suspecting them to be delusional (at least, not many of them). We also often do have a significant body of *agreement* with them. But let’s not overemphasize these points. In many cases of philosophical disagreements, we disagree about a certain theoretical framework that has implications for a wide range of propositions. As an example of this, consider the movement in epistemology that, following Timothy Williamson’s (2000) highly-influential book and other related work, adopted the so-called “knowledge first” view, where knowledge plays a very central and basic role in explaining a host of epistemic and practical phenomena. Proponents of this view often think, *inter alia*, that (a) knowledge is a mental state that can’t be analyzed or reduced to more basic combinations of states (e.g., justified, true belief), (b) knowledge is the “norm of assertion”, (c) evidence is identical to knowledge, (d) knowledge plays an ineliminable role in explanations of action, and (e) knowledge plays an ineliminable role in practical reasoning. People who reject the knowledge-first view in favor of a view that puts epistemic justification (or rationality) as the central object of study in epistemology
often seem to reject all or most of (a) – (e). And, of course, they disagree about the particular cases for which (a) – (e) have direct or indirect implications. And people will have various arguments for why or why not they reject any of (a) – (e) where those arguments will themselves have premises that are in dispute amongst many philosophers.

The disagreement doesn’t even stop there. In philosophy, disputes go beyond the direct subject matter and enter into questions of methodology as well. Again, take the general knowledge-first view which we can think of, loosely, as a commitment to some sufficient number of (a) – (e). People disagree, of course, about (a) – (e) and, as noted above, about a large number of propositions about particular cases entailed by (a) – (e), and even premises of the surrounding arguments. But people will additionally claim that the knowledge-first people (or vice versa) have not properly evaluated the relevant arguments and evidence. They will probably (at least implicitly) think that their opponents are too fixated on a particular case or idea, or are neglecting to give the proper weight to some consideration, and so are improperly responding to the balance of reasons. And, of course, their opponents will feel the same way about them. Beyond that, they may even disagree about what counts as relevant evidence, and to what degree, in the first place. Some philosophers think that intuitions about particular cases have the greatest evidential weight. Others think that general theoretical considerations (e.g., considerations of simplicity, or whether a theory can be captured with an elegant formal model) trump the evidential significance of intuitions about particular cases. So, when we

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1 It may be tempting to think that one’s judgment about particular cases is based on one’s theoretical commitments, so that any disagreements about particular cases can simply be traced and attributed to disagreement about certain theoretical commitments. I think, however, that this picture belies the actual complexity of judgments and theory-formation. In at least many cases, there is a kind of symmetrical relationship between the two where each supply mutual support for the other. So, to some degree, one’s theoretical commitments will be based on his particular judgments and vice versa.
add it up, there will be disagreement about the following things: (1) the core propositions of a particular philosophical theory, (2) the premises of the surrounding arguments supporting the core propositions, (3) the propositions about particular cases implied by the theory, (4) propositions about each side having properly evaluated or weighted the various arguments or pieces of evidence, and (5) propositions about what kinds of evidence or arguments are even legitimate in the first place, or to what degree. All of this constitutes a substantial body of propositions in dispute.²

In addition to the volume of the disputed propositions, it seems that they may also comprise a somewhat closed domain or area of thought, so that agreement about other matters, even philosophical issues, doesn’t have an obvious bearing on what each side should think of the other’s ability to properly assess the issues in dispute. This is important because it puts into question the relevance of our agreements with philosophers with whom we are engaged in disputes. For example, if you agree with Williamson’s (1994) work on vagueness but you find yourself disagreeing with him in about the knowledge-first view, does your agreement with him about vagueness have any clear bearing on how likely you should think that he is to be right about the knowledge issue? It might have some bearing, but it certainly isn’t a clear one, at least it’s nowhere near as clear as the bearing that the shared history of agreement has in, say, Christensen’s Mental Math case. There, we are dealing with mathematical propositions of a similar complexity, or, in what may be a better way to think about the situation, we are dealing with a mathematical faculty for doing a certain level of calculation in the head. There is a pretty

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² Adam Elga (2007) makes a similar point when he describes how many disputes are wrapped up in “clusters of controversy”. Phillip Pettit (2006) also notes the way that controversial beliefs are “deeply embedded in your Quinean web of belief”. Michael Lynch (2010) makes a similar point to the one above about how disagreements about methodology enter into many disputes.
clear projectible type there. It is obvious that, e.g., the location of the restaurant or the color of the waiter’s shirt is not part of that type. It is also clear that if we disagreed about the answer to a complex problem in linear algebra, we would be dealing with a different domain. The point is that we have a pretty good grasp on what the relevant domain is in this case, and I think that the same thing can be said for the other toy examples that I mentioned earlier. In philosophy, however, agreement with our opponents on other matters is not obviously agreement about the right type of propositions. Insofar as it’s unclear what type or domain of agreement is relevant, it’s unclear what bearing our agreement with philosophical opponents should have on our assessment of their comparable reliability.

We also lack a track record of dispute resolution in philosophy. Just as in the case of political and religious disputes, philosophical disputes are typically unresolved. So, there’s no nice, undisputed track-record from which both parties can form an opinion about comparative reliability. In fact, this lack of dispute-resolution is characteristic of virtually all real-world disputes about controversial matters. In this way, they are very much unlike the toy examples that conciliationists have appealed to in motivating their views.

This raises a potential problem for conciliationism. The view is committed to the claim that we have dispute-independent grounds for believing our opponents on a wide range of controversial issues are as likely as we are to be right – i.e., the Relevant Disagreement Condition. But the basic idea that disagreement defeats or precludes justification is itself largely motivated by examples where the disputants have robust track record information that we simply don’t have in a wide range of disputes about
controversial issues. So, the toy examples won’t be of obvious help to us in showing that the Relevant Disagreement Condition is true. Instead, we will have to see if there are other good reasons for thinking that our opponents on controversial issues are as likely as we are to be right.

For ease of exposition, let’s define a term here. Let’s say that someone is your epistemic peer when and only when: you have dispute-independent evidence for thinking that the person is as likely as you to be right about the issue (or issues) in dispute.\(^3\) The Relevant Disagreement Condition is true only if our opponents on controversial issues are epistemic peers. To evaluate the Relevant Disagreement Condition, then, we should ask whether have good reasons for believing that our opponents on such issues really are epistemic peers.

3. Against the Relevant Disagreement Condition

One possible answer is that there really aren’t any strong dispute-independent grounds for thinking that our opponents are epistemic peers. The idea here would be that when we put aside the entire set of issues in dispute, which will often be quite wide, there simply won’t be anything left to provide grounds for thinking that our opponents are as likely as we are to be right.

Adam Elga (2007) has argued in this direction. His discussion focuses on a case where two imaginary people, Ann and Beth, are in a dispute about the moral status of abortion. Elga says that the abortion issue is tied up with a cluster of issues that Ann and

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\(^3\) Some use the term ‘epistemic peer’ in a looser way, simply to denote someone whom you take to be generally intelligent, sincere, informed, etc. (See, e.g., Kelly (2005) and Gutting (1982).) I am using a more precise, stronger notion of a peer. It is important to keep this in mind throughout the discussion.
Beth disagree about (e.g., whether a fetus is a person, whether a fetus can feel pain, what place rights have in a moral theory, etc.). According to Elga, when that entire cluster of disputed issues is set aside, there is “no fact of the matter” about Ann and Beth’s opinions of the other’s reliability (pp. 495-6). Once all the issues related to the question of abortion have been bracketed, Ann and Beth simply have no grounds to assess each other as far as their reliability is concerned. This is because setting aside their opinions about all of those issues amounts to setting aside a “large and central chunk” of each’s “ethical and political outlook” (p. 496). Each will then have no basis from which to form the opinion that they are equally likely to be right about the moral status of abortion.

This conclusion is meant to apply to much more than just the issue of abortion, or any particular moral issue for that matter. Elga seems to think that for any issues that are “tangled in clusters of controversy” – i.e., issues where there is a wide set of interrelated propositions in dispute – the result will be the same. Each side will lack dispute-independent grounds for thinking that they are equally likely to be right.

The way that Elga’s idea could be employed in an attempt to block the Relevant Disagreement Condition is straightforward: one could say that the Relevant Disagreement Condition is false because most of our controversial opinions are wrapped up in clusters of disputed issues and, hence, we fail to have dispute-independent grounds for thinking that our opponents are epistemic peers. As we’ve seen, it is indeed plausible to think that our controversial opinions are often bundled in clusters of disputed issues. So, does this give us grounds for rejecting the Relevant Disagreement Condition, and, with it, conciliationism?
4. Defending the Relevant Disagreement Condition

One could try to defend the Relevant Disagreement Condition in two ways. Let’s consider both.

4.1 Agreement within the Relevant Domain

The first is the idea that, even when we set all the disputed issues aside, there will still be enough agreement with our opponents within the relevant domain (e.g., the domain of ethical issues) that we have good grounds for taking them to be epistemic peers. Sarah McGrath (2008) and Hilary Kornblith (2010) have promoted this kind of response to Elga. McGrath takes up Elga’s case of the disagreement between Ann and Beth about abortion. She says that Ann and Beth disagreeing about a substantial range of issues related to the question of abortion is

[...] perfectly consistent with a very substantial amount of moral agreement between the two. Indeed, we would expect Ann and Beth to agree about the answers to any number of moral questions. We would expect them to agree, for example, that slavery is morally abhorrent, that it is wrong to cause others pain for the sake of one’s own amusement, that lying is prima facie wrong, and about countless other issues. Moreover, notice that many of the issues on which they are likely to agree are highly non-trivial, at least when judged by world-historical standards. (Consider, for example, their shared belief that slavery is morally

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4 Kelly (2010) suggests this response as a possibility as well.
In short, Ann and Beth’s disagreements about abortion and related matters, although substantial, almost surely take place against a relatively wide background of shared moral beliefs. (pp. 105-6)

The upshot is that

It seems wrong, then, to say that there is no fact of the matter about Ann’s opinion of Beth’s moral judgment, setting aside abortion and the many related issues about which they disagree. Indeed, once these disagreements are bracketed, the relatively wide background of agreement seems to tell in favor of Ann’s taking it that Beth is more or less equally likely to get the hard questions right. (p. 106)

Kornblith says essentially the same thing about the case of Ann and Beth.\(^5\) And he also explicitly notes how this line of reasoning would apply to philosophical disputes:

Note that the same is true when we consider disagreement about philosophical questions. I disagree with others about the proper resolution of the internalism/externalism debate in epistemology. [ . . . ] Those who I disagree with about internalism and externalism are philosophers with whom I disagree about a

\(^5\) He says:

Beth and Ann regard each other as basically decent, caring, thoughtful individuals whose opinions on a very wide range of moral matters, outside the sphere of issues most closely related to abortion, are trustworthy and insightful. [ . . . ] They are in respectful agreement about a very wide range of moral issues. And it is on this basis that they regard each other as moral epistemic peers (p. 50)
wide range of related issues. Does this then mean that I am no longer in a position to see these philosophers as my epistemic peers, as Elga suggests is the case with Beth and Ann on the abortion issue? Not at all. Even these disagreements, broad as they are, take place against a background of very broad agreement, agreement about the important issues in epistemology, about which positions are worth taking seriously, about what counts for and against various views, and so on. [. . .] What this means, of course, is that there is ample room to view such philosophers as my epistemic peers, which is, in fact, precisely how I view them. (pp. 50-1)

The Kornblith-McGrath response amounts to saying that, while disagreement about controversial issues may often be quite wide, including large clusters of disputed issues, it’s often still narrow enough that there’s a substantial amount of common ground within the relevant domains of thought or discourse.

Does this defense of the Relevant Disagreement Condition work? While I have no conclusive objections, there is one significant worry worth noting here: that it is unclear whether we really have relevant agreement with others when it comes to controversial issues. As discussed earlier (in section 2), when we talk about the relative likelihood of someone else being correct about an issue, we are invoking some projectible type of proposition for which they will form an accurate or reasonable judgment, or perhaps some type of faculty that will reliably produce a particular type of judgment. But figuring out just what the relevant types are is not easy in the case of controversial opinions. Consider Elga’s example of the debate about abortion. Is the relevant domain “morality
in general”, or some more specific, perhaps more theoretical sphere of morality? Does the domain actually include more than just morality, bringing in metaphysical issues (e.g., when something is a person) as Elga himself suggests? If it does include metaphysical issues, is all of metaphysics relevant to the domain? If not, what parts are relevant and what parts aren’t? Perhaps agreeing with someone about lots of moral issues and disagreeing about abortion is something like agreeing with someone about simple mathematical propositions but disagreeing about a difficult problem in algebra. The two may just be in different domains.

Because of this, it seems that the Kornblith-McGrath line of thought fails to provide conclusive support for the Relevant Disagreement Condition. Insofar as it is plausible that we don’t really agree with our opponents on controversial issues in the relevant domains, then any agreement that we do have with them will fail to support the belief that they are epistemic peers about the controversial issues. Again, this is just a worry, not a conclusive objection. I think that the Kornblith-McGrath line of reasoning actually has significant plausibility. But I think that conciliationists should also hope that there is more to be said in defense of the Relevant Disagreement Condition.

4.2 General Cognitive Abilities

Fortunately for them, I think that there is more to be said. There is a second line of defense that is also available for the Relevant Disagreement Condition. This approach says that we have good general dispute-independent grounds for taking our opponents to be peers. Our opponents on controversial issues are typically intelligent human beings; in
many cases, they are relatively well-educated, have occupations that require significant skill or expertise, have general social abilities, are able to manage their finances and plan their lives fairly well, etc. Because of such factors, we have grounds for believing that they are epistemic peers when it comes to the cluster of issues in dispute.

To see the force of the idea, imagine that you are with someone else who you know to be generally as intelligent and thoughtful as you. You are told that both of you are going to be taught a new intellectual skill, something that neither of you currently has. You are also told that many people have difficulty mastering this skill, so there is a good chance that one or even both of you will fail to acquire the skill despite the tutoring that you are about to receive. What would it be reasonable for you think, at that point, about the comparable likelihood of you and your friend picking up the skill successfully?

It seems quite plausible that you should think you and your friend are about equally likely to acquire the skill. It certainly seems that you have no good reason for thinking that one of you is significantly more or less likely to successfully acquire the skill. Notice, however, that, at this point, your justification about the comparative likelihood of who will acquire the skill is not based on agreement within the domain of the skill itself. You don’t even know what the skill is at this point. So, your judgment about your comparable likelihood to acquire the skill must be based on some more general grounds.

But what are these grounds? Perhaps the answer lies in what Richard Foley (2001) calls the “broad cognitive commonalities among humans” (p. 103). Foley thinks that we are so focused on making “intricate distinctions” between ourselves that we often
fail to appreciate the enormous degree of cognitive similarity that we have to others (p. 103).

Indeed, the differences among humans look insignificant when compared to the difference between us and other intelligent creatures, for example, ants, whales, and bats. Because we tend to take our similarities for granted, it is easy to overlook how similar we are to one another in intellectual faculties and backgrounds. (p. 103)

So while we may simply think of two people knowing each other to be “generally intelligent and thoughtful”, perhaps the brevity of that phrase belies the enormously complex cognitive structure that most people share. And the scope and scale of the similarity of those structures may provide a strong inductive basis for inferring that any two instances of such a structure are, *ceteris paribus*, equally likely to have some further cognitive quality or property.

Returning to the case of Ann and Beth, suppose that they know each other to be generally intelligent, well-informed, and thoughtful people. What, then, should each of them think about the other’s competence about the cluster of abortion-related issues? Setting the disputed issues aside, based on the awareness of their “broad cognitive commonalities”, it seems quite plausible to think that Ann and Beth should believe that they are equally likely to be right about the cluster of issues in dispute.
The idea here obviously extends beyond the case of Ann and Beth, and if correct, provides us with grounds for thinking that opponents on all sorts of controversial topics are epistemic peers. It is, thus, a defense of the Relevant Disagreement Condition.

5. Verdict

I think that one, or some combination, of these defenses of the Relevant Disagreement Condition is effective. Either peripheral agreement within the relevant domain, or shared, general cognitive abilities, will often provide at least some basis for believing that our opponents are epistemic peers. And combined with the Independence Principle, that is all that the conciliationist needs to arrive at his skeptical conclusion.6

6. A Concern

For the reasons given in this chapter, I’m accepting one basic piece of conciliationism: the Relevant Disagreement Condition. My argument against conciliationism will, thus, be based on a rejection of the other main part of conciliationism: the Independence Principle. (My discussion of that will occur in the next two chapters.) However, I’d like to briefly note one concern about the Relevant Disagreement Condition. It’s a question about whether support for the condition “proves too much”.

In Chapter 1, section 5, we distinguished conciliationism from more radical forms of skepticism; and I argued that, unlike those radical forms of skepticism, we can’t

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6 As will be made clear in Chapter 4, once we have any grounds for believing that our opponents are epistemic peers, the Independence Principle implies that those independent grounds completely determine our justification about the disputed topics.
dismiss conciliationism out-of-hand on charges of absurdity. As I explained there, the force of our controversial opinions is nowhere near as direct and strong as that of our commonsense opinions (e.g., about external objects in our immediate environments). Controversial opinions seem considerably more open to doubt.

But there are limits to this. Some issues appear to be “controversial” only in the sense that large numbers of people disagree about them, not in the sense that there are prima facie compelling evidence and arguments for each side. In these cases, it seems clear that the disagreement does not undermine the justification of the reasonable side.

Consider, e.g., the belief that human beings evolved from other forms of biological life. If you hold that belief, there are millions of people who disagree with you. In fact, according to a February 2009 Gallup poll, only 39% of Americans “believe in the theory of evolution”. Still, I think it’s clear that you can be justified in believing that human beings evolved from other forms of biological life. If conciliationism implied that you couldn’t, I think it would be entering the territory of absurdity.

Another example is the belief that human activities have caused global warming. Again, if you hold that belief, there are millions of people who disagree with you. In fact, a March 2010 Gallup poll reports that 46% of Americans do not believe human activities have caused global warming. But, again, I think it’s clear that you can be justified in believing that human activities have caused global warming. If conciliationism says otherwise, again, it is saying something very implausible.

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8 http://www.gallup.com/poll/126560/Americans-Global-Warming-Concerns-Continue-Drop.aspx
9 I think that there is actually considerably more reason to be skeptical of anthropogenic warming claims than is typically recognized. But this issue is very complicated and, for our purposes, we can ignore it. I think that the average, educated citizen is in a position to hold a justified belief that anthropogenic warming has occurred, even if that turns out to be doubtful on a more comprehensive investigation of the issues.
The problem is that, based on what I’ve argued earlier in this chapter, it’s not entirely clear that conciliationism won’t say that. Think of it this way: in order to reach his skeptical conclusion, the conciliationist needs enough people to count as epistemic peers, i.e., he needs the Relevant Disagreement Condition to be true. But, to avoid his position being absurd, he also can’t have too many people count as epistemic peers. Some people (e.g., evolution deniers and global warming deniers) must not count as epistemic peers. The conciliationist needs a way to defend the Relevant Disagreement Condition that doesn’t get him mired in absurdity. In this chapter, I’ve discussed two reasons for thinking that our opponents on controversial topics are epistemic peers – (1) that we have significant agreement with them in the relevant domain, and (2) that we have a tremendous degree of shared general cognitive ability. I think these reasons do indeed support the Relevant Disagreement Condition. But I’m also somewhat concerned that they will “prove too much”, e.g., by implying that evolution deniers and global warming deniers are our epistemic peers.

Consider first the idea that our shared general cognitive abilities often gives us evidence of peerhood. The potential problem here is that the net of peers will extend too wide, e.g., to include evolution deniers and global warming deniers. It’s certainly true that we share a tremendous number of general cognitive abilities with those people. I’ve personally known several people who didn’t believe that humans evolved from other forms of life. And I can attest to the fact that they were not only generally intelligent, witty, socially adept, etc., but, in several cases, also had relatively advanced training and skills. Several of the folks that I knew had technical jobs in the computer field that required fairly extensive knowledge and abilities concerning complicated hardware or
software. It would simply be false to say that these people were generally unintelligent. Likewise for people who disbelieve that human activities have caused global warming. The worry then is that the general cognitive abilities approach will count such folks as epistemic peers.

The Kornblith-McGrath line of reasoning, which, instead, appeals to agreement with our opponents in the relevant domain, will not count as many people as epistemic peers as does the general cognitive abilities approach. For many opponents on controversial topics, it is plausible that we will just fail to share enough agreement within the relevant domains to give us grounds for taking them to be epistemic peers. But it’s not clear that this will be true for enough cases. Take, e.g., the case of global warming. As I noted earlier, it’s difficult to know what the relevant domain of thought is when it comes to controversial issues. But one very reasonable candidate in the case of global warming is something like: stuff that scientists tell us that they have discovered in their fields. I take it that the vast majority of us form our opinions about scientific issues largely on the testimony of scientists rather than any significant analysis of the direct evidence on our own parts. That is clearly the case when it comes to our opinions on global warming. But surely we agree with our opponents on global warming on a tremendous number of claims within the domain of “stuff that scientists tell us that they have discovered in their fields”. On the Kornblith-McGrath line of reasoning, wouldn’t this, then, imply that global warming deniers are my epistemic peers?

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10 Many people seem to think that they have somehow assessed the direct evidence bearing on global warming (and many other scientific issues as well). They are wrong, however. Virtually none of us, save for a small minority of scientists, have the skills or information available to truly do any type of significant analysis of the direct evidence bearing on global warming.

11 For example, I take it that global warming deniers and I typically both accept an enormous number of claims in medical science (e.g., claims about the causes of various diseases, the effectiveness of various medications and other treatments, etc.), geological and planetary science (e.g., why earthquakes occur, how
I raise these questions for conciliationism because they are important. But I don’t mean to say that they are unanswerable. (If they are, then the case I’m going to make against conciliationism is even stronger.) Two ideas that the conciliationist might employ to handle this challenge are, first, that there are important evidential differences in many of our opponents, and, second, that we have special introspective access to our own sincerity. Take, e.g., the debate about human evolution. We should not underestimate the complexity of the evidence required for a generally intelligent layman to have a justified belief that humans evolved from other life forms. It doesn’t seem that odd or obviously irrational for someone with very little education about biology to doubt human evolution. (Hence, questions like “Am I supposed to think that a monkey gave birth to a human being?”.) And it does turn out that belief in human evolution is directly correlated with levels of formal education.\textsuperscript{12} So, those who believe that evolution occurred may be in a position to discount their opponents on dispute-independent grounds concerning evidential superiority.

But this strategy may not always work. Take our other example, the case of global warming deniers. Perhaps the divergence of opinion on that issue is not easily explained by an evidential disparity. Conciliationists may, however, be able to appeal to dispute-independent, introspectibly accessible facts or evidence from which one can conclude that global warming deniers are not epistemic peers. In particular, introspectibly available facts or evidence about one’s own sincerity may be important. If one is really being

\textsuperscript{12} http://www.gallup.com/poll/114544/Darwin-Birthday-Believe-Evolution.aspx
honest and open to the evidence guiding him towards the truth, regardless of whether he will like that conclusion or not, there may be a detectable inner feeling of sincerity. One is not afraid of the truth, whatever it is, or, at least, one is willing to deal with whatever uncomfortable consequences come with that truth. I think it’s somewhat plausible that we can tell whether we are in that state or not. Yet we cannot tell whether our opponents are. We do not have introspective access to their minds. I think that this important difference may allow the conciliationist to count his opponents on some issues (e.g., global warming) as less than epistemic peers. And, hence, he may be able to prevent his view from falling into absurdity.

If he can’t, then so much the worse for conciliationism. I will, assume, however, that conciliationism is not absurd, and that the Relevant Disagreement Condition can be defended as I suggested in this chapter. The problem with conciliationism that I’d like to focus on is, instead, with the Independence Principle. Let’s turn to consider that now.
CHAPTER 3

The Independence Principle, Undermining, and Circularity

The Independence Principle tells us, roughly, that when you have justification for believing that your opponent in a disagreement is generally as likely as you to be right, what you have reason to believe about who is right in the particular dispute cannot include the very reasoning that is in dispute. This idea is essential to the conciliationist position. The motivation behind it is to prohibit vicious circularity. The task before us now is to carefully examine this idea.

1. The Independence Principle

Up until this point, I have been fairly loose in my formulation of the Independence Principle. A more precise rendering is as follows:

| Independence Principle | To the extent that you have dispute-independent grounds for believing that your opponent in a dispute is equally likely to be right, you lose your |

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1 See Chapter 1, section 2.2.
justification for your belief about the issue in dispute.\(^2\)

This captures the idea of having to set aside or bracket the direct evidence or reasoning that we used in forming our opinion when we disagree with a smart, informed opponent in a way that will preclude viciously circular or question-begging dismissals of that opponent’s opinion. When an opponent’s claim provides you with dispute-independent grounds for thinking that you are wrong, the Independence Principle tells us that those grounds set the limit on how much you can be justified in your belief about P. You can’t then appeal to your direct evidence or reasoning about P to exceed that limit. Appealing to you direct evidence or reasoning to regain the justification that you lose when you learn about the disagreement is illegitimate, both dialectically as well as simply in your own mind. In this way, the Independence Principle seems to capture an important constraint on the way that we can appropriately respond to disagreements.\(^3\)

2. Disagreement and the Wider Epistemological Context

To truly understand and evaluate the Independence Principle, it will be helpful and illuminating to place it within a broader epistemological context. Disagreement is a

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\(^2\) The clause ‘you lose your justification’ implies that you had some justification for your belief to begin with, although this will clearly not always be the case. The more precise way of putting the final section of the principle would be to say that you will lose your justification for your belief about the issue in dispute if you had any justification for that belief prior to the dispute. Since we will be looking at several similar Independence Principles in this chapter and the qualification would make them all rather unwieldy and inelegant, I will leave the qualification implicit here and throughout the rest of the chapter.

\(^3\) The ‘Independence’ terminology is from Christensen (2007 and 2011) who extensively defends the Independence idea. Elga (2007) doesn’t use the same terminology, but the Independence idea is part of his “Equal Weight View”. Feldman (2006), Kornblith (2010), and Goldberg (2009) all at least implicitly endorse the Independence idea.
particularly interesting phenomenon to us because it is such a ubiquitous part of human
life, but the epistemic principles or laws that describe the epistemic significance of
disagreement and dictate the rational response to it are presumably not *sui generis*. They
are, rather, special instances of more general, fundamental epistemological principles. By
seeing the more general epistemic framework that houses the epistemology of
disagreement and, in particular, the Independence Principle, we will have a better frame
of reference for evaluating the issues. It will allow us to place disagreement within a
structure of epistemological thought for which we have already grasped, at least, some of
the broad contours. And it will give us a set of analogous cases and intuitions that we can
use to test and refine our theory about disagreement.

2.1 Disagreement and Undermining

The epistemological problem of disagreement is really a special case of the general
epistemological problem of *undermining*. Undermining is what happens when we get
certain kinds of *indirect* reasons for thinking that certain beliefs that we have are false.
To explain what I mean by ‘indirect reasons’, it may be easiest to first describe a case
where we have *direct* reasons for thinking that a certain belief that we have is false.
Imagine, e.g., that you believe that it’s going to rain today, but when you look outside
you notice that the sky is bright and sunny and there’s not a cloud in sight. That provides
a *direct* reason for thinking that the belief that it’s going to rain is false.

In contrast, there are two kinds of *indirect* reasons that we can get for thinking
that a belief is false. The first is where we get a reason to believe that there is something
wrong with the link between our evidence and the truth of what we believe on the basis of that evidence. For example, say that you saw a grey cat in your yard this morning and are quite sure that it was your neighbor’s cat, Tibbles. But later that day, you find out that your neighbor on the other side recently bought a very similar-looking grey cat named Whiskers. Learning this seriously weakens the link between your evidence – your visual experience of a grey cat – and your belief that it was Tibbles in your yard. This doesn’t give you direct evidence that Tibbles wasn’t in your yard, as you would get if your first neighbor came over and told you that Tibbles had been inside all day; but it is still a kind of indirect evidence that Tibbles wasn’t in your yard. And it’s intuitive to think that you lose your justification for believing that Tibbles was in your yard. We can call this way of losing your justification evidence undermining.

The second indirect way to lose your justification occurs when you obtain evidence that you have misjudged your evidence for P. Here, you learn that there may well be something wrong with your judgment that the evidence supports P rather than something being wrong with the evidence itself. There are several types of real-world

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4 This example deals with a belief that you had already formed. But we could describe the case such that you learn about the existence of the similar-looking cat, Whiskers, before you see that there’s a grey cat in your yard. In that case, your potential justification for believing that Tibbles was in your yard would be undermined. This is to say that the justification that a visual experience as of a grey cat in your yard would have given you otherwise has been undermined in that case. Moving forward, I will only talk about our actual justification being undermined. But this is simply for ease of exposition and I take it that the cases I describe can be reconfigured so as to be cases where it is potential justification that is undermined instead.

This point about potential justification being undermined is actually relevant to the epistemology of disagreement. This is because (as we will see) awareness of disagreement is really a kind of undermining evidence and we are often aware of widespread disagreement about an issue before we form an opinion about that issue. (For example, you might hear about a hotly contested political issue in the news and know that it is hotly contested before you have had the time to consider the issue itself and figure out what you think about it.) So, if undermining evidence can undermine potential justification, that would mean that disagreement could undermine your potential justification for believing certain things.

5 Readers may recognize this as what Pollock and Cruz (1999) label “undercutting” defeat. I’m introducing my own terminology only to highlight the similarity to a distinct kind of defeat that I’m going to discuss next.

6 Several philosophers have recently recognized the uniqueness and epistemic significance of this kind of undermining. See Feldman (2005b), Kelly (2010), and Christensen (2010).
situations for which such evidence actually exists. For example, empirical research has
demonstrated that people tend to systematically overrate their abilities in comparison
with others. Another example is the large body of research showing that people are
typically wildly unreliable in making probability judgments. These findings strongly
suggest that, absent some special reason to think otherwise, I have likely misevaluated
my evidence about my own abilities as compared to those of others and I likely make
very unreliable probability judgments. And if I lack a good reason to think I’m different
from most people, it’s intuitive to think that I lose my justification for those beliefs when
I learn about that research. We can call this way of losing justification judgment
undermining.

The question of the epistemic significance of disagreement is really just the
question of whether disagreement from others is an epistemic underminer and, if so, how
much and how often does it have an undermining effect. It seems very compelling to

7 For a discussion of some of that evidence and possible explanations of why people overrate themselves, see Alicke and Govorun (2005).
8 The locus classicus for this is Kahneman, Slovic, and Tversky (1982).
9 How does judgment undermining relate to Pollock and Cruz’s (1999) notion of “undercutting” defeat? It
seems to me that judgment undermining is distinct from undercutting defeat. There are two reasons for
thinking this: first, Pollock and Cruz’s example of undercutting (on p. 196) that they use to introduce the
idea is a clear case of evidence undermining, not judgment undermining. Second, and probably more
importantly, they claim that deductive reasons are indefeasible. (See pp. 36 and 44.) But judgment
undermining can occur even in cases where our reasons are deductive. For example, if a logic novice
correctly does a proof but is then told that he made a mistake by someone that he knows to be a logic
expert, judgment undermining occurs. (See Christensen (2010) for discussion about deductive reasons
being undermined.) Pollock and Cruz’s view rules this out and, hence, seems to exclude judgment
undermining.

Pollock and Cruz’s official definition of undercutting defeat, however, does seem to encompass
judgment undermining. It centers on the idea of having a reason to doubt or disbelieve that if you were to
have the evidence that you do, P would be true. (See p. 196.) That seems to occur in both the case of
evidence undermining and judgment undermining. Still, in light of the reasons that I cited before, I think
that Pollock and Cruz really had in mind only evidence undermining and probably just didn’t realize that
their official definition allowed for both.

Regardless, it’s worthwhile to distinguish between evidence undermining and judgment
undermining. Even if they are best thought of as types of undercutting defeat, they are different in
important ways, at least some of which I will try to bring out in this chapter.
think that learning about disagreement sometimes *can* provide one with a very significant epistemic underminer. The examples that I used to motivate the idea of conciliationism in Chapter 1 are persuasive for this point. Consider, again, this case:

*Trivia*: you and some friends are playing a trivia game. You and one particular friend, Travis, often play trivia games together. You are both highly skilled at the art of retaining all kinds of information, trivial or not, about the world. Much of the time, you and Travis just find yourselves believing the correct answers with no memory of how you learned these things. They are simply stored in your minds. Most of the time, you and Travis agree in your answers. In the relatively rare cases when you and Travis have diverged on the answers to trivia questions, you have found that he is right about just as much of the time as you. As you play now, the question of what is the smallest continent in the world is asked. You find yourself thinking, with very high confidence, that the answer is Australia, although, as is common, you don’t know how or where you learned that. But then, to your surprise, you hear Travis announce that the answer is Antarctica. You ask him why he thinks that and he also can’t cite how or where he is getting the answer. Like you, he simply feels highly confident that his answer is correct.

It seems intuitively clear that you lose your justification for your belief about the smallest continent in this example. Why do you lose it, though? The answer is that your justification is *undermined* here. More specifically, it seems that it is a case of *evidence* undermining. Your evidence or grounds for believing that the smallest continent is
Australia presumably consists of the fact that you find yourself believing that and (before you discover the disagreement) you don’t have any opposing evidence; or perhaps your evidence is the fact that it _seems_ to you that smallest continent is Australia and, again (before you discover the disagreement) you don’t have any opposing evidence. But, from your known track record with your friend, you know that in cases where you have that _same type_ of evidence for your belief yet find yourself disagreeing with your friend, you are roughly as likely as your friend is to be wrong about the answer to the trivia question. You know, then, that in situations like this, the fact that you seem to remember that P simply doesn’t provide you with significantly more reason to believe that P than it does to believe that ¬P. This effectively undermines your justification.

Disagreement can also provide significant _judgment_ undermining. Consider, again, this case from Christensen (2009):

**Mental Math:** You and your friend have been going out to dinner together regularly for many years. You always tip 20% and split the check (with each person's share rounded up to the nearest dollar), and you always each do the requisite calculation in your head upon receiving the check. Most of the time you have agreed, but in the instances when you haven’t, you’ve taken out a calculator to check; over the years, you and your friend have been right in these situations equally often. Tonight, you figure out that your shares are $43, and become quite confident of this. But then your friend announces that she figures your shares at $45. Neither of you has had more wine or coffee, and you don’t feel (nor does

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10 There are some views about the justification of memory beliefs that are inconsistent with this. I argue against those views extensively in Chapter 5.
your friend appear) especially tired or especially perky. How confident should you now be that your shares are $43? Many people agree that in this sort of case, strong conciliation is called for: you should become much less confident in $43—indeed, you should be about as confident in $45 as in $43. (p. 757)

Again, it is intuitively clear that you lose significant justification for your belief upon learning about the disagreement. But why? Again, the answer is that your justification is undermined; but, in this case, it isn’t your evidence that is undermined; rather, it’s your judgment. The evidence for your conclusion is presumably just the total amount of the bill and the agreed fact that the proper shares will be equal to the total amount of the bill, plus twenty percent, divided by two. Nothing has impugned that evidence. It still supports one particular answer. The problem has occurred, with either you or your friend, in the judgment reaching the conclusion, specifically in the form of a mental calculation. From your known track record with your friend, you know that in cases where you have the same evidence yet have diverged in judgments of this same type, you are as likely as your friend is to be wrong about the proper amount of your shares. So, it seems that, in situations like this, the fact that you have judged that $P$ doesn’t provide you with more reason to believe that $P$ than it does to believe that $\neg P$. This effectively undermines your justification.
2.2 Locating the Independence Principle

Where does the Independence Principle fit in to the general epistemology of undermining? Consider it again:

| Independence Principle | To the extent that you have dispute-independent grounds for believing that your opponent in a dispute is equally likely to be right, you lose your justification for your belief about the issue in dispute. |

The principle is telling us something about the epistemic role our direct evidence or reasoning plays in situations where we discover disagreement with others who we have reason to think are generally as likely as we are to be right. In particular, it’s describing a certain restriction on the role that our direct evidence or reasoning can play in such situations. As I’ve shown, however, discovering disagreement with people of the sort described in the principle amounts to obtaining an epistemic underminer. So, the Independence Principle is really telling us what epistemic role that our direct evidence or reasoning plays in situations where we get an epistemic underminer. More specifically, it’s saying that to the extent that we get such underminers, we lose the justification provided by our direct evidence or reasoning for the issue in dispute.

As we saw in the previous section, disagreement with others can provide undermining of both forms, evidence undermining or judgment undermining. This
suggests that we lose the justification provided by our direct evidence or reasoning to the extent that we obtain *either* type of underminer. We can capture this idea with the following *general* version of the Independence Principle:

**General Independence Principle**

To the extent that you have independent grounds for believing that (a) your evidence for P is misleading or (b) you have judged incorrectly about P, you lose your justification for your belief about P.

The notion of *independent* grounds invoked here is the more general category under which *dispute*-independent grounds fall. What’s essential to that category is the idea that the direct evidence or reasoning for a particular belief about P can be distinguished from one’s broader evidence or reasoning. Relative to P, the broader grounds are one’s *independent* grounds.

Given that disagreement is only an epistemic issue insofar as it provides one with an epistemic underminer, the Independence Principle that is essential to the conciliationist position in the epistemology of disagreement is just a special case of the General Independence Principle. This means that if we find something wrong with the General Independence Principle, we will have discovered that there is something wrong with conciliationism.

I will lay out the case in favor of the General Independence Principle in the next two sections although I hope that the reader already intuitively sees plausibility in it. But
I am going to argue that, despite its *prima facie* plausibility, the General Independence Principle is false. Afterwards, I will return to the issue of disagreement and discuss the implications for conciliationism that follow from my discussion of the General Independence Principle.

3. A Pair of Cases to Consider

Since the General Independence Principle applies in cases where you get either (a) independent *evidence*-undermining grounds or (b) independent *judgment*-undermining grounds, we can understand the principle as the conjunction of two narrower principles:

**Evidence-Independence Principle**

To the extent that you have independent grounds for believing that your evidence for P is misleading, you lose your justification for your belief about P.

**Judgment-Independence Principle**

To the extent that you have independent grounds for believing that you have judged incorrectly about P, you lose your justification for your belief about P.
If either of those are false, then so is the General Independence Principle. Let’s, then, consider the plausibility of each principle separately.

The best way to do this will be through a pair of cases that we can use to examine the application of the principles. Here’s the first:

*Questionable Evidence:* You are a prosecutor assigned to a local robbery case. The detectives have been investigating four main suspects: Smith, Jones, Parker, and Brown. You have now set about to see whether there is a plausible case to be brought against any of them and you’ve obtained a copy of a file containing the evidence that the detectives have gathered about each of the suspects as it relates to the crime. You open it, and after reading for several minutes, come to see that there is an obvious and extremely compelling case to be made that Jones is guilty. There is nothing tricky about the case and you can tell than any sincere, rational adult should see that Jones is very likely the perpetrator of the crime.

But just then you get a telephone call from someone at the police department. There is a problem with the investigation into the robbery. Two files about the robbery have been discovered. One contains the actual evidence that was collected. The other was fabricated by a crooked detective looking to frame someone that he knew to be innocent. This detective unsuccessfully tried to swap the fake file for the actual one. The result is that there are now two files on the crime – the real one and the fake one – and the police department isn’t sure which one you’ve acquired at this point.
This is a case of evidence undermining. Here you learn that there is a problem with the link between what you took as your evidence – the contents of the file – and the truth of whether Jones committed the crime.

For the second case, it will be convenient for us to appeal to something that systemically causes bad judgment. So, let’s imagine that cognitive psychologists have discovered certain mechanisms in the brain that, if stimulated correctly, cause humans to make judgments that are heavily skewed by factors that are clearly irrelevant to the truth. In particular, the mechanisms cause people to think that others have performed immoral or criminal acts based on irrelevant facts (e.g., what color shirt the person is wearing, whether the person has glasses, whether the person has a physical resemblance to one of the subject’s cousins, etc.). Imagine further that chemists have successfully synthesized a drug that activates these biasing processes. Through rigorous clinical trials, it has been clearly demonstrated that the drug causes people to employ terrible reasoning that no normal person would employ. Further, the drug has no other noticeable effects and those under its influence cannot tell that they are reasoning badly. These discoveries are widely publicized in the media (e.g., with dramatic footage of people reasoning horribly under the influence of the drug and sincerely insisting that they are fine and using good judgment) and the public is largely disturbed by the existence of such a drug. The substance is quickly outlawed for any use other than psychological and military research.
With that in mind, here’s the second scenario:

*Questionable Judgment*: You are a prosecutor assigned to a local robbery case. The detectives have been investigating four main suspects: Smith, Jones, Parker, and Brown. You have now set about to see whether there is a plausible case to be brought against any of them and you’ve obtained a copy of a file containing the evidence that the detectives have gathered about each of the suspects as it relates to the crime. You open it, and after reading for several minutes, come to see that there is an obvious and extremely compelling case to be made that Jones is guilty. There is nothing tricky about the case and you can tell than any sincere, rational adult should see that Jones is very likely the perpetrator of the crime.

But just then you get a telephone call from someone at the police department. There is a problem. A crooked detective is looking to frame someone that he knows is innocent. He somehow procured a quantity of the illegal reasoning-distorting drug and, through some of his own experimentation, figured out that it will cause those who take it to judge one of the innocent suspects in the robbery case as guilty. He tried to drug you by mixing the substance into the office coffee that you drank this morning. But he didn’t realize that there were two pots of coffee and he only put the drug into one of them. At this point, the police don’t know whether the coffee that you drank was from the pot that was drugged or from the other pot.11

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11 This example shares several features with Christensen’s (2010) “Drugs” case, but he targets deductive reasoning rather than the kind of evidence assessment that *Questionable Judgment* deals with.
This is a case of judgment undermining. Here you get reason for thinking that you have mismevaluated the evidence bearing on Jones’ guilt.

There is clearly intuitive force to the idea that, in both cases, you lose a significant amount of justification for believing that Jones is guilty, to the point where suspense of judgment about the issue seems to be the appropriate attitude to take. But now imagine that, in the first scenario, Questionable Evidence, you try to resist the undermining force of the evidence by reasoning in the following way: “If I have the fake file of evidence, then my belief that Jones is guilty would be inaccurate. But, fortunately, I don’t have the fake file. You see, the contents of the file I have are such-and-such. So, Jones is guilty. So, my belief that Jones is guilty is accurate. Hence, I don’t have the fake file.”

This way of resisting the undermining evidence seems outrageous. The reasoning seems to exhibit a kind of unacceptable circularity. The Evidence-Independence Principle captures just that sentiment. In Questionable Evidence, you get significant independent grounds for believing that the evidence in the file is misleading. The Evidence-Independence Principle tells us that, to that extent, you lose your justification for believing that Jones is guilty. The principle thus prohibits you from appealing to the evidence in the file to regain justification for believing that Jones is guilty, or appealing to that evidence as the basis of a judgment about the accuracy of that very evidence. So, the Evidence-Independence Principle effectively prohibits the kind of circular reasoning described above.

Compare a similar line of reasoning for the Questionable Judgment situation. Imagine that, after finding yourself in that situation, you go on to reason as follows: “If I am under the influence of the drug, then my belief that Jones is guilty would be
inaccurate. But, fortunately, I’m not under the influence of the drug. You see, the contents of the file are such-and-such. So, Jones is guilty. So, my belief that Jones is guilty is accurate. Hence, I’m not under the influence of the drug.”

Again, it may seem that this way of trying to resist the undermining force of what you have learned about your situation is epistemically illegitimate. It appears to exhibit the same kind of unacceptable circularity that the previous bit of reasoning did. The Judgment-Independence Principle captures this thought. In Questionable Judgment, you get significant independent grounds for believing that you misjudged the probative force of the evidence bearing on Jones’ guilt. And the Judgment-Independence Principle tells us that, to that extent, you lose justification for believing that Jones is guilty. The principle thus implies that you can’t regain your justification by reassessing the evidence in the file that bears on Jones’ guilt, because you know that, if you are under the influence of the drug, this reassessment will be just as bad as your initial assessment of the evidence. So, the Judgment-Independence Principle effectively prohibits the circular reasoning described above.

There is certainly some prima facie plausibility in the idea that relying on your initial evidence or judgment about Jones’ guilt is unacceptable once you have obtained the undermining evidence. Some of us, however, are inclined to think that there is an important difference in how one should react in these two types of situations. It seems to us that, at least to some degree, one can legitimately resist judgment undermining in the
circular way although one won’t be able to resist evidence undermining that way.\textsuperscript{12} But how could that be? The circular reasoning appears to be vicious in both cases. Additionally, since it appears to be vicious \textit{in the same way}, how could it be that it’s actually acceptable in one case but not the other? Those are certainly puzzling questions. I’m going to attempt to answer them and show that we \textit{can indeed} properly resist judgment undermining even though we can’t properly resist evidence undermining. Hence, I will be arguing that the Judgment-Independence Principle is false although the Evidence-Independence Principle is true. If that’s correct, then the General Independence Principle is false.

Showing that there exists this kind of difference between judgment undermining and evidence undermining will shed some important light on the dynamics of epistemic justification. In addition, it will show that the conciliationist position in the epistemology of disagreement rests on a mistake.

\section*{4. What is the Problem?}

When we just imagined how the people in our two cases might try to resist the undermining force of the evidence that they receive, it seemed as though there was something illegitimate about their reasoning. A first task is to identify more clearly what that is. It will be handy to have perspicuous and concise representations of the reasoning.

\textsuperscript{12} Kelly (2005 and 2010) has given the most elaborate defense of this position. Weatherson (Manuscript) and Wedgwood (2011) offer versions of it as well. Other authors who are sympathetic, albeit dealing with the specific issue of disagreement, are Lackey (2010) and Sosa (2010).

I recognize, however, that not everyone has the intuition that the two types of undermining vary in their undermining force. If it currently seems to you that the force of the undermining in both cases is the same, I hope that you’ll reconsider based on what I say in the rest of this chapter.
We can think of the response to the situation in *Questionable Evidence* as follows:

(1) The evidence in the file I have is such-and-such.

(2) So, Jones is guilty. (Based on (1))

(3) I judged that Jones is guilty based on the evidence in the file I have.

(4) So, I formed an accurate judgment about who is guilty of the crime (From (2) and (3))

(5) I wouldn’t have formed an accurate judgment about who is guilty of the crime if I had the fabricated evidence.

(6) So, I don’t have the fabricated evidence. (From (4) and (5))

And we can think of the response to the situation in *Questionable Judgment* as follows:

(1) The evidence in the file I have is such-and-such.

(2) So, Jones is guilty. (Based on (1))

(3) I judged that Jones is guilty based on the evidence in the file I have.

(4) So, I formed an accurate judgment about who is guilty of the crime. (From (2) and (3))

(5) I wouldn’t have formed an accurate judgment about who is guilty of the crime if I had been drugged.

(6) So, I’m not drugged. (From (4) and (5))
These pieces of reasoning seem to share something important with ones that have been focused on in other epistemological contexts. In particular, they are reminiscent of the so-called “easy knowledge” problem and the question of whether justification always “transmits” across known entailment.\textsuperscript{13} There you see examples such as:

(1) The table looks red.

(2) So, the table is red.

(3) So, the table isn’t really white but illuminated by red lights.\textsuperscript{14}

The problem of easy knowledge gets its name from the idea that coming to know (or becoming justified in believing) the conclusion from the premises in cases like these would be too easy. The thought is that we can’t come to know (or be justified) like that.

A similar problem is posed in discussions of the “transmission” of justification across known entailments. Many people think that the premises in arguments like the one above simply can’t transmit their justification to the conclusion and, hence, that an agent can’t come to be justified in believing the conclusion from his justification for believing the premises.\textsuperscript{15}

So, is the problem that we are dealing with here really just the problem of easy knowledge or the question of transmission? No, it’s not just that. The present problem is more complicated. The problem of easy knowledge and the question about transmission

\textsuperscript{13} Cohen (2002) introduces the general version of the problem of easy knowledge (as well as the ‘easy knowledge problem’ terminology). Fumerton (1995) and Vogel (2000) discuss a particular species of the problem where a person relies on the repeated accuracy of a belief-forming process \textit{F} to infer that \textit{F} itself is reliably accurate. (Vogel dubs this “bootstrapping”.)

The notion of justification “transmitting” traces back to Wright (1991).

\textsuperscript{14} Cohen (2002) uses this example.

\textsuperscript{15} I think that the problem of easy knowledge and the problem about transmission are probably ultimately the same problem, viz., one about epistemic circularity.
arise for so-called “liberal” theories of justification, which say that your direct evidence for P (e.g., a sensory experience as of P) can \textit{all by itself} provide you with justification for P.\textsuperscript{16} On these views, to get justification for P, you don’t require \textit{antecedent} justification for believing that your evidence isn’t radically misleading or that you aren’t wildly unreliable in forming your beliefs. (Not requiring justification for those things antecedently is precisely what opens the door to the possibility of reasoning \textit{to} them with an easy-knowledge-style inference. This is why liberal theories face the easy-knowledge problem.) Liberal theories of justification, however, acknowledge that justification is \textit{defeasible}. One’s direct evidence only provides \textit{prima facie} justification that can be defeated if one gets other evidence suggesting that there’s a problem. So, e.g., a proponent of a liberal theory of justification wouldn’t claim that you could employ the circular reasoning that we considered above about the red table in circumstances where you have been given good independent reasons for thinking that the red-looking table in front of you really \textit{is} white and only looks red because it’s illuminated by red lights. In that case, you would never make it to the second step in the reasoning (i.e., the step that concludes that the table is red). Liberals thus don’t defend the idea that you can \textit{always} get easy knowledge. They are only stuck with the idea that you can get easy knowledge in cases where there are no defeaters present.

The view I’m defending, on the other hand, seems to be saying that you can get easy knowledge even when there \textit{are} defeaters present. In the \textit{Questionable Judgment} scenario, it seems that learning about the deeds of the crooked detective provides you with a legitimate, well-motivated defeater for your justification for believing that Jones is

\textsuperscript{16} Pryor (2004) initiated the practice of calling such views “liberal” and this has now become standard terminology.
guilty. Defending the circular reasoning in circumstances like that appears to be even worse than defending it in the “good” circumstances to which liberals appeal (e.g., conditions where you have a clear perception of a red table and no particular reason to think that there is a problem). So, this view takes on the burden of defending easy-knowledge-style inferences but with the added complication of defending the idea that such inferences are legitimate even in the face of legitimate defeaters.

We can thus think of the task of defending the circular reasoning as consisting of two main parts: the first will be to deal with the seemingly-problematic second step of the reasoning – the inference that Jones is guilty – in the face of the undermining evidence. The second part will be to defend the idea that one can then legitimately go on to infer that one isn’t drugged.

As I said earlier, the position I’m arguing for is that one can resist judgment undermining but not evidence undermining. This raises the additional problem of explaining why that is the case. Since the two kinds of undermining situations appear quite similar and the circular reasoning in response looks the same, it is not clear why they should be treated differently.

Let’s call the reasoning that resists evidence undermining in the way described above evidence-circular reasoning and the reasoning that resists judgment undermining in the way described above judgment-circular reasoning. My position is this: in the face of undermining evidence, you can’t get any justification for your conclusion via evidence-circular reasoning, but you can get at least some justification for your conclusion via judgment-circular reasoning.
As I’ve described, there are three problems that I’d like to address in relation to this idea:

1. How one can be justified in the second step of judgment-circular reasoning (e.g., that Jones is guilty).
2. How one’s justification for the first two steps of judgment-circular reasoning can provide justification for the final conclusion of the reasoning (e.g., that you aren’t drugged).
3. Why the same can’t be said for instances of evidence-circular reasoning.

5. Justification from the Direct Evidence

Let’s start by considering how you could have any justification for believing the second step of the judgment circular reasoning – in our example, justification for believing that Jones is guilty – in the face of the undermining evidence. Imagine that you are in the Questionable Judgment situation, but that you actually drank from the pot of coffee that wasn’t drugged. Your reasoning is operating normally. And further imagine that the evidence in the file does indeed strongly indicate that Jones is guilty. I think that, in this situation, you have some degree of justification for believing that Jones is guilty, above that which would put you at neutrality or suspense of judgment, despite the undermining evidence.

This claim may strike the reader as implausible or counterintuitive. Justification is defeasible. And what could be a more effective way to reduce your justification to the
point where you should be neutral or suspend judgment about whether Jones is guilty than learning that you are in the *Questionable Judgment* situation?

I fully acknowledge that upon first considering the scenario, there is a strong intuitive attraction to the idea that your justification gets defeated to the point of neutrality. But this attraction is misleading. The mistake rests on an undue focus and emphasis on the *subjective feeling* or *seeming* that accompanies our judgments. When we form beliefs based on evidence, there is an accompanying phenomenology. It is difficult or impossible to describe in words what this comes to, but certain propositions *feel* or *seem* to be supported by our evidence and others don’t. The phenomenology involved may be, in many cases, merely a lack of certain feelings or sensations that serve as epistemic warning signs.¹⁷

When we make genuine mistakes in judgment, the phenomenological experience that accompanies our belief-formation is, in some important sense, the *same* for us as it would be were we to have judged properly. It feels as though everything is fine and we are reasoning correctly. This is what happens to those who are under the influence of the reason-distorting drug in our fictional scenario. But we needn’t invoke the idea of exotic or futuristic drugs to illustrate the point. When you, say, make a mistake on a difficult math problem, you experience the subjective seeming of having reasoned correctly even though you didn’t.

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¹⁷ It could be that when we improperly assess our evidence because of haste, wishful thinking, biases, etc., there are certain phenomenological indicators that warn us about this. I myself find this plausible when, e.g., I find myself believing certain things that I read in many political pieces written by people who share my general political views. There is some phenomenal discord or tinge of suspicion lurking in the background of my consciousness that, when I attend to it, leads me to form what I take to be a more reasonable and critical assessment of what I’ve read.
Our subjective seemings are typically important pieces of evidence for us. In good circumstances, they indicate the truth of what we believe. Imagine, for example, that you are examining the file of evidence about the robbery in good circumstances — i.e., circumstances where there is no undermining evidence. And say that, upon considering the evidence in the file, it seems quite obvious that the evidence strongly indicates Jones’ guilt. This subjective seeming, perhaps combined with certain background knowledge about your abilities to assess this kind of evidence, provides you with some degree of justification for believing that Jones is guilty.

When you get evidence that undermines your judgment, as in the Questionable Judgment scenario, you lose the justification that your subjective seeming would normally provide for you. When the police tell you that there is an even chance that you drank from the drugged pot of coffee, your subjective seeming no longer provides you with evidence of Jones’ guilt that supports more than neutrality or suspense of judgment about the issue.

Does this mean that your justification for believing that Jones is guilty is defeated to the point where suspending judgment is appropriate? Not necessarily. That’s because your subjective seeming doesn’t exhaust your evidence. There are still the contents of the file about the robbery. If they really do indicate that Jones is guilty, and you have actually properly evaluated that evidence, then you still have a degree of justification for believing that Jones is guilty that supports an attitude other than suspense of judgment. To think otherwise is to fixate on the subjective seeming as though it was the only element of your justification.
Let me be clear about two things here: first, I’m not claiming that, in *Questionable Judgment*, you have justification for believing that Jones is guilty regardless of what the contents of the file are. Those contents really have to, in an objective or agent-neutral manner, indicate that Jones is guilty. Second, I’m not saying that you can maintain *all* of your justification when you learn that you might be under the influence of the drug. You may, in fact, lose quite a lot. The claim is just that you can maintain some justification for a positive belief (or degree of belief) that Jones is guilty when you have the objective evidence and are able to properly evaluate that evidence.

Still, we might worry about how you could possibly have *any* justification for believing that Jones is guilty, given what you’ve learned about the possibility of being drugged. Doesn’t the view I’ve been suggesting have the counterintuitive implication that the contents of the file could give you justification for believing that Jones is guilty even if you *lack* justification for believing that you aren’t drugged and misevaluating the contents of that very file?

Fortunately, the view in question does not have that counterintuitive implication. If you have justification for believing that Jones is guilty, you *must* have justification for believing that you aren’t drugged. (This claim will be defended in section 8.) What I reject, though, is the idea that you need to have *antecedent* or *independent* justification for believing that you aren’t drugged before the evidence in the file can provide you with some justification for believing that Jones is guilty. The view defended in this paper says that the justification that you can get from the direct evidence itself *partly constitutes* your justification for believing that you properly evaluated the direct evidence. Explaining how that is not viciously circular is something that I will take up in section 9.
The task of the present section is simply to illuminate the features of the situation (viz., that the contents of the file do, in fact, indicate that Jones is guilty, combined with the fact that you happen not to have been drugged and are able to properly evaluate the evidence in the file) that make it plausible to say that you can get some immediate justification for believing that Jones is guilty. This will be contrasted, in section 7, with the features of the Questionable Evidence scenario, where it is not plausible that you get any immediate justification for believing that Jones is guilty.

The idea that one doesn’t always require antecedent or independent justification for believing that one’s belief that \( P \) meets certain epistemic conditions (e.g., that one’s belief was formed with a reliably accurate belief-forming process) before one is able to get justification for believing that \( P \) is what we can call (following Pryor (2004)) “liberalism” about epistemic justification. The view in this dissertation is a version of liberalism in that it doesn’t require a person to have antecedent or independent justification for believing that he is able to properly assess his direct evidence bearing on \( P \) in order for that direct evidence to provide him with justification for believing that \( P \).

Many prominent epistemologists have argued for liberal theories of justification.\(^{18}\) While a close examination and defense of liberalism is beyond the scope of this dissertation, I take it that the view is a live, defensible position in epistemology. As such, I take it that the liberal component of my view on undermining inherits those virtues.

6. Two Streams of Justification

The distinction we drew earlier between the evidence provided by your subjective seeming and the more direct evidence provided by the contents of the file about the robbery suggests that there are two distinct *streams* of justification. This idea enjoys independent support when we consider the epistemology of errors in general. Say, e.g., that you are doing a kind of statistical analysis that you are generally very good at. Imagine that you make a small mistake in your calculations somewhere. It seems quite plausible to think that you are justified (perhaps even *highly* justified) in believing your answer despite the fact that the direct evidence (from the statistical data itself) doesn’t support your belief. The idea of there being two independent streams of evidence offers an explanation of our reaction to this case. Here, the fact that it subjectively seems to you that your answer is right combined with your background knowledge of your reliability may be what provides you with a significant degree of justification for your belief despite the fact that the stream of direct evidence *doesn’t* provide you with justification for your belief. The two-streams model can account for the intuitive idea that, in some cases, we can be (at least partially) justified in our beliefs despite having erred in our judgment.

The two-streams model also accounts for the intuitive idea that we are *less* justified in these cases than we would have been if we hadn’t erred in our judgment. Consider our statistical analysis example. It is intuitive to think that when you make the mistake in your calculations, you are less justified in your answer than you would have been if you had done all the calculations properly. The two-streams model explains this nicely by saying that you are less justified because the statistical data itself doesn’t
support your answer and, hence, you lack the direct-evidence stream of justification. We can see, then, that the two-streams model enjoys considerable explanatory success when it comes to the epistemology of errors in general. It is, thus, a very attractive and interesting model of justification.

The two-streams model suggests the plausible idea that, in the case of errors of judgment such as the one in the statistical analysis case, we can retain a significant degree of justification from the subjective-seeming stream of evidence alone. What I’m suggesting in this paper is simply the parallel claim that we can lose the subjective-seeming stream of justification yet retain a significant degree of justification from the direct-evidence stream alone. In the Questionable Judgment scenario, the stream of justification that you get from your subjective seeming about who is guilty is defeated to the point of neutrality when you learn that you might have drunk from the pot of coffee that was drugged. (You know that under the influence of the drug things would feel or seem normal to you even though you are horribly miscalculating the evidence about the robbery.) But if the two-streams model is correct, then you still have the stream of justification that comes from the direct evidence - the contents of the file. That hasn’t been defeated. The direct evidence remains, and it can provide a significant degree of justification for believing that Jones is guilty.

While I think that this idea is right, the details are complicated. The picture I’ve offered here may suggest that judgment-undermining evidence simply diminishes or eliminates the stream of justification that comes via one’s subjective seemings while leaving the other stream completely intact. But that’s not true. Judgment-undermining evidence diminishes the justification provided by both streams. It’s just that the degree to
which it affects them can differ. In our example, *Questionable Judgment*, I think that it is clear that the undermining evidence diminishes the stream that comes via the subjective seeming to one that only supports neutrality or suspense of judgment. The justification provided by the direct evidence in the file is not equally diminished, but it is reduced to some degree. This can be seen more clearly if we tweak the details of the case a bit. Say that, instead of learning that there is 50% chance that you drank from the pot of coffee that was drugged, the police tell you that the crooked detective successfully drugged both pots of coffee and you know that you drank from one of them. This situation intuitively seems worse than the situation in *Questionable Judgment* and it seems implausible to think that you would be left with any significant degree of justification for believing that Jones is guilty in such a case, even if the contents of the file really did indicate that Jones is guilty and you happen to have a very rare, and undiscovered, immunity to the drug. The undermining evidence is *thicker* in such a way that it seems to virtually completely defeat the justification that the contents of the file provide.\(^\text{19}\)

So, I’m not saying that we can resist judgment undermining because there is one stream of justification that always remains untouched. But it is plausible that the two streams are independent in that they are affected and diminished by undermining evidence in different ways and to different degrees and that there are cases (e.g., *Questionable Judgment*) where one of the streams of justification can be defeated to the point of neutrality while the other remains intact to a significantly higher degree.

\(^{19}\) I attempt to develop this notion of *thickness* as part of a theoretical framework for more precisely understanding judgment undermining in Chapter 4.
7. Why Evidence Undermining is Different

The two-streams view also puts us in a position to understand what’s different about evidence undermining and why we can’t resist it in the same way that we can resist judgment undermining. In the Questionable Evidence situation, the undermining evidence leaves you with no evidence via either stream that supports anything beyond neutrality about whether Jones is guilty. When you find out that there is a 50% chance that you have the file of fabricated evidence, your total evidence simply no longer supports Jones’ guilt. There is nothing wrong with your judgment. You can still see that the contents of the file would be evidence for Jones’ guilt if the file weren’t likely to be filled with misleading, false claims. The problem is not with your judgment, but with the evidence itself.

The subjective seeming that you had when you first examined the evidence no longer provides you with any evidence for believing that Jones is guilty once you learn about the deeds of the crooked detective. This is because your previous subjective seeming about what is indicated by the contents of the file only provides you with evidence of Jones’ guilt in combination with an important piece of background evidence: that the contents of the file are non-misleading. Without that as a piece of background evidence, your initial subjective seeming that the contents of the file indicate Jones’ guilt simply no longer provides you with evidence for believing that Jones is guilty.

So, evidence-circular reasoning fails because we can’t even make it to the second step of the reasoning. The proposition <Jones is guilty> requires sufficient evidence if we are to have justification for believing it. But in the Questionable Evidence scenario,
unlike the *Questionable Judgment* scenario, we are left with no such evidence. We are thus left with no justification for anything beyond neutrality from *either* stream of justification.

To more clearly see the evidential difference between the *Questionable Evidence* scenario and the *Questionable Judgment* scenario, imagine yourself in either scenario at the point where you have simply reviewed the file of evidence and seen quite clearly and easily that it indicates Jones guilt. At this point, you have not yet learned about the crooked detective and his attempts to mislead or manipulate you. You could say to yourself the following: “I have no reason to believe that the evidence in this file is misleading, and it is clear that Jones is guilty. But if the contents of the file indicating Jones’ guilt *were* misleading - i.e., the file of evidence indicated that Jones is guilty even though he really wasn’t - what would the contents of that file be like?” The answer seems to be that they would be *exactly like* the contents of the file that you have in front of you.

This is precisely why the contents of the file don’t provide you with any evidence for believing that Jones is guilty after you find out about the crooked detective who fabricated a file of evidence. Independently of what the contents of the file in front of you say, you then have reason to believe that there is an even chance that the evidence is fabricated. And since you know that fabricated evidence would be *exactly like* the contents of the file that you have in front of you, the contents of the file (after you learn about the deeds of the crooked detective) no longer provide any more evidence for Jones’ guilt than they do for Jones’ innocence. Thus, you lack sufficient evidence for believing that Jones is guilty.
Now, return once again to the point in the story where you have evaluated the file of evidence but haven’t yet learned about the deeds of the crooked detective. You could say to yourself the following: “I have no reason to believe that I have improperly inferred that Jones is guilty from my evidence, and it is indeed clear that Jones is guilty. But if I were to have improperly inferred that Jones is guilty from my evidence – i.e., I inferred that Jones is guilty although my evidence didn’t really indicate that - what would the contents of the file be like?” Our answer to this counterfactual question is importantly different from our answer to the previous counterfactual question. In this case, the contents of the file would be very different from how they actually are. In particular, they would not support the proposition <Jones is guilty>.

So, you would not expect the direct evidence to be the same regardless of whether you were reasoning properly or under the influence of the reasoning-distorting drug. This is precisely why the contents of the file on the robbery remain legitimate evidence for Jones’ guilt even after you learn about the deeds of the crooked detective.

It is a separate question whether you retain justification for believing that Jones is guilty. I think that you do. But my point in these last remarks is just to show the evidential difference between the two cases. Because evidence for believing that Jones is guilty is at least necessary for having justification for believing that Jones is guilty, you cannot have justification for believing that Jones is guilty in the Questionable Evidence scenario. Because of this, what I say about retaining justification in the face of judgment undermining does not apply to the case of evidence undermining.
8. The Rest of the Judgment-Circular Reasoning

If what I’ve said so far is right – that we can have justification for the second step of judgment-circular reasoning - we still have the question of how someone can be justified in moving through the rest of the judgment-circular reasoning. In the Questionable Judgment scenario, this leads you to the conclusion that you haven’t been drugged. Even if you do have justification for believing that Jones is guilty (for reasons I cited earlier), using your very judgment about Jones’ guilt to infer that you aren’t under the influence of the judgment-distorting drug seems problematic.²⁰

It is important to recognize that, in this case, you now lack independent grounds for believing that you aren’t drugged. By ‘independent grounds’, I mean to signify grounds that are distinct from the direct evidence that you’ve received about the robbery and your judgment about that very issue. Normally, people do have independent grounds for believing that they aren’t under the influence of a judgment-distorting drug. (We typically know that it is extremely unlikely that we are under the influence of such a drug. The probability that we are is only negligibly above zero.) So, in normal cases, you don’t have to employ judgment-circular reasoning to justifiably believe that you aren’t drugged.

In Questionable Judgment, however, you lack independent grounds for believing that you aren’t drugged because those grounds have been undermined when you learn

²⁰ Note that nothing about the funniness of this type of inference depends upon the rather far-fetched idea of a drug that biases one’s reasoning in just the way that we’ve been considering. People really do make errors in their reasoning and could make judgment-circular arguments in real-world contexts that would look just as bad as the one we’ve been considering in relation to the Questionable Judgment scenario. Imagine, e.g., that after finishing a long, complex mathematical problem, you pause and wonder whether you have made an error in your calculations. And you think: “well, I arrived at the answer P. And P. So, I didn’t make an error in my calculations this time.”
about the deeds of the crooked detective.\textsuperscript{21} This means that you must employ non-independent grounds – grounds that include the evidence in the file and your assessment of that very evidence – as the basis for the inference that you are not drugged. And it is that type of inference that appears to be problematic in the same way that “easy knowledge” inferences or cases where justification doesn’t seem to “transmit” across known entailments seem to be problematic.

If this inference is so problematic, however, why not simply refrain from making it? Why not just avoid the issue of whether you are drugged altogether? Couldn’t you judge that Jones is guilty based on the evidence in the file yet simply suspend judgment on whether or not you are under the influence of the judgment-distorting drug? Not rationally. You know that the drug would cause you to misevaluate the evidence in such a way that it would seem to you that one of the innocent suspects is guilty. And it seems to you, based on the evidence, that Jones is guilty. So, to the extent that you believe your seeming to be accurate, you should think that you aren’t drugged.\textsuperscript{22} To consciously suspend judgment about whether you are drugged while simultaneously believing that Jones is guilty would be to disregard a clear implication of some things that you believe. That would be irrational. It would be akin to (1) believing that drinking a large quantity of coffee will make you alert, (2) believing that you just drank a large quantity of coffee, but (3) suspending judgment about whether you are now going to be alert. Suspending

\textsuperscript{21} More specifically, what happens when you learn about the deeds of the crooked detective is a case of evidence undermining. The evidence that was provided by your subjective seeming is undermined. And, as we saw in the last section, evidence undermining, unlike judgment undermining, is not something that one can justifiably resist.

\textsuperscript{22} An agent in this situation who simply hasn’t considered whether he is drugged or not may well be able to justifiably believe that Jones is guilty without also believing that he isn’t drugged. But any such agent, so long as he has enough conceptual sophistication to grasp the higher-order epistemological concepts involved here, must at least have propositional justification for believing that he isn’t drugged.
judgment in these cases is to fail to properly proportion your belief to your evidence. It is, thus, epistemically irrational.\textsuperscript{23}

9. Circularity and Discrimination

What exactly is the problem with moving from the second step through the final step in judgment-circular reasoning? Consider, again, our example:

(1) The evidence in the file I have is such-and-such.
(2) So, Jones is guilty. (Based on (1))
(3) I judged that Jones is guilty based on the evidence in the file I have.
(4) So, I formed an accurate judgment about who is guilty of the crime. (From (2) and (3))
(5) I wouldn’t have formed an accurate judgment about who is guilty of the crime if I had been drugged.
(6) So, I’m not drugged. (From (4) and (5))

Although this reasoning may strike us as obviously flawed in some important way, it’s actually quite difficult to say what precisely is wrong with it, if anything. Without going into great detail here, I think that there are two issues that bother people about this reasoning. The first is a worry that the reasoning is viciously circular. The reason that I’ve labeled it judgment-circular reasoning in the first place is that there seems to be something circular about basing a belief that you haven’t taken a judgment-distorting

\textsuperscript{23} Bergmann (2005) and Huemer (2011) argue for similar points.
drug on the very type of judgment that would be inaccurate if you had taken the drug. But is the circularity *vicious*?

There are different ways that an argument can be circular. The only thing that we need to worry about, however, is whether the argument is *epistemically* circular:

\[
\text{epistemically circular argument} \overset{\text{def.}}{=} \text{an argument where at least one of the premises isn’t justified unless you have antecedent justification for the conclusion of the argument}^{24}
\]

There are two ideas behind my concept of epistemic circularity. One is the idea that justification for the conclusion is *presupposed* in your justification for the premises. The second is that the premises *don’t add anything* in the way of justification. Epistemic circularity, in this sense, is *vicious* circularity. One can’t employ epistemically circular reasoning to obtain *new* justification for the conclusion of an argument. If judgment-circular reasoning suffers from this problem, then it’s viciously circular.\(^{25}\)

Earlier (in section 5), I argued that the evidence in the file about the robbery along with your (unimpaired) ability to competently assess that evidence provides you with some degree of justification for believing that Jones is guilty. You don’t require antecedent or independent justification for believing that you have properly evaluated (or

\[^{24}\text{Pryor (2000) has defined the notion of antecedent justification as follows:}

Your justification for believing \(p_1\) is antecedent to your justification for believing \(p_2\) just in case your reasons for believing \(p_1\) do not presuppose or rest on your reasons for believing \(p_2\). Your reasons for believing \(p_1\) can not beg the question whether \(p_2\). (p. 525)

\[^{25}\text{My definition of an epistemically circular argument is largely the same as what Pryor (2004) calls “Type 5 epistemic dependence”.}
will properly evaluate) the evidence in the file about the robbery in order to get some justification for believing that Jones is guilty. If that’s right, then judgment-circular reasoning isn’t epistemically circular. No step of the reasoning requires or presupposes one of the later steps for its justification.

Still, I think that there is an important second kind of worry about judgment-circular reasoning that we have in mind. It’s that the reasoning doesn’t discriminate in the right way. This problem is actually quite hard to precisify, but it has to do with the sense that judgment-circular reasoning will always “confirm” that we aren’t under the influence of the judgment-distorting drug, even if we are. It seems to be a horrible way to check whether we are drugged or to remove doubts about whether we aren’t.

I think this worry is ultimately rooted in the recognition that, in an important sense, it would seem or feel the same to us regardless of whether we were drugged or not. In the Questionable Judgment scenario, we have very good evidence for believing that the drug’s effects will be subjectively undetectable to us. And we recognize that the judgment-circular reasoning itself does nothing, from the standpoint of a subjective feeling or seeming, to filter out instances where we are evaluating the evidence improperly because we are drugged from instances where we are not drugged and assess the evidence properly. So, we may think that such reasoning is useless to us if we are trying to figure out whether we’re drugged.

But this, again, is to focus on the subjective seeming element of justification to the exclusion of other important elements – viz., the direct evidence. It is true that our subjective seemings will not discriminate between cases where we are drugged and cases where we aren’t. But unless our subjective seemings exhaust our evidence, there is room
for other elements of our evidence to discriminate in the appropriate way. In the *Questionable Judgment* scenario, the contents of the file about the robbery play an important discriminatory role. What we have justification for is quite different in a version of the scenario where the contents of the file strongly indicate Jones’ guilt as compared to a version where they don’t indicate that, despite it being the case that our subjective seemings are, in the relevant sense, *exactly the same* in both cases. Once we recognize that there is more to our justification than our subjective seemings, we can see our way around the discrimination worry.²⁶

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²⁶ Does this position on circularity make the overall view in this chapter a version of epistemic *externalism*? This is a fairly complicated question since there are several different conceptions of internalism and externalism in epistemology. However, I don’t think that the view in this chapter implies externalism on any of the standard conceptions. Following Feldman and Conee (2001), we can usefully think of internalism in one of two ways: as “mentalism”, which says that a person’s justification is determined only by his mental states, or as “accessibilism”, which says that a person’s justification is determined only by things that are directly or reflectively accessible to him. Now, consider the difference in justification that I’m proposing between a person who properly assesses a file of evidence that indicates Jones’ guilt and a person for whom it only *seems* that his file of evidence indicates Jones’ guilt, even though his evidence doesn’t really indicate that. My claim is that the former has justification for believing that Jones’ is guilty and the latter doesn’t. For this proposal to be inconsistent with mentalism, it would have to imply that what makes the difference in justification between the two people is something other than their *mental states*. But it doesn’t imply that. The two people have different files of evidence; one indicates Jones’ guilt and the other doesn’t. Each person has mental states that represent the contents of his particular file of evidence. Since the files are very different in each case, the two people have importantly different sets of mental states representing their files of evidence. And, since one of those sets of mental states provides evidence for Jones’ guilt while the other set of mental states doesn’t, the different sets of mental states can account for their differing justification. So, the view in this chapter is consistent with mentalism.

For the view to be inconsistent with accessibilism, it would have to imply that what makes the difference in justification between the two people is something other than what is *reflectively accessible* to them. But my view doesn’t imply that either. What is reflectively accessible to each person here is importantly different. One person can reflectively access mental states that represent a file of evidence that actually indicates Jones’ guilt. The other person can’t reflectively access such mental states because his file of evidence doesn’t actually indicate Jones’ guilt, and, hence, he has no reflectively accessible representational states that provide evidence for believing that Jones is guilty. This difference in what is reflectively accessible to each person can explain their differing justification. So, the view in this chapter is consistent with accessibilism as well.
10. Implications for the Independence Principle and Conciliationism

Let’s take stock. I’ve been arguing for the following position: there are important differences in the structure of epistemic justification as described in the two-streams view of justification. Because of those structural differences, judgment undermining has a different undermining force from that of evidence undermining. In certain cases, judgment undermining can leave one’s direct evidence for P intact in a way that evidence undermining can never do. In those cases, through the employment of judgment circular-reasoning (which is not viciously circular), one can conclude that one has judged the direct evidence for P correctly. With that synopsis of the view I’ve been defending in mind, let’s now return to our task of evaluating the Independence Principle and, hence, the conciliationist position on disagreement.

We saw earlier that the Independence Principle, which specifically pertains to disagreement, is really just a special case of the General Independence Principle, which purports to tell us how undermining in general affects our justification. And recall that we divided the General Independence Principle into the following two components:

Evidence-Independence Principle
To the extent that you have independent grounds for believing that your evidence for P is misleading, you lose your justification for your belief about P.
and

Judgment-Independence Principle  To the extent that you have independent grounds for believing that you have judged incorrectly about P, you lose your justification for your belief about P.

What should be clear at this point is that the position on undermining that I’m defending implies that the Judgment-Independence Principle is false. Thus, the position implies that the General Independence Principle is false. Earlier, I argued that the epistemology of disagreement is not *sui generis*, and should be subsumed by more general epistemic principles. It is, thus, overwhelmingly plausible that the Independence Principle that is essential to conciliationism is just a special case of the General Independence Principle and has no independent motivation apart from the motivation for the latter. This means that my position also implies the falsity of the Independence Principle; and since that principle is an essential component of conciliationism, my position thus implies that conciliationism is false.

More specifically, the view on undermining defended in this chapter implies the following about disagreement: that there can be cases where your awareness of disagreement with others provides you with significant dispute-independent grounds for believing that you are just as likely as your opponents to have misjudged your direct evidence for the issues in dispute, yet, because of the force of that direct evidence and your ability to properly evaluate its probative force, you are able to maintain significant
justification for your opinions about the issues in dispute. In this way, the view is inconsistent with conciliationism.

How inconsistent with conciliationism is the view, however? And how does the view apply to our actual opinions about controversial topics in philosophy, politics, religion, etc.? These are important questions that will be taken up in the next chapter.
CHAPTER 4

The Two-Streams View of Undermining and the Epistemology of Disagreement

Although the two-streams view of undermining defended in the previous chapter strictly implies the falsity of conciliationism (because it implies the falsity of the Independence Principle), care should be taken to see exactly how the view I’m defending diverges from conciliationism. For there is actually considerable agreement between the two views. Even if conciliationism doesn’t give us exactly the right answer about the epistemology of disagreement, it does capture some strong intuitions about some particular cases, and there are important lessons to be learned from thinking carefully about the conciliationist view, in particular, the Independence Principle. One goal of this chapter is, thus, to get a clearer picture of how the two-streams view on undermining relates to the conciliationist position. The second goal is to get clearer about exactly what the two-streams view implies for our actual opinions about controversial topics.

1. The Two-Streams View and the Independence Principle

As we’ve seen, a central tenet of the conciliationist view is the Independence Principle. In the previous chapter, I argued that Independence Principle should be seen as a special
case of the following:

General Independence Principle  To the extent that you have independent grounds for believing that (a) your evidence for P is misleading or (b) you have judged incorrectly about P, you lose your justification for your belief about P.

The General Independence Principle can be separated into two important sub-principles, corresponding to the conditions (a) and (b) of the principle. Corresponding to condition (a), we have:

Evidence-Independence Principle  To the extent that you have independent grounds for believing that your evidence for P is misleading, you lose your justification for your belief about P.

And corresponding to condition (b), we have:

Judgment-Independence Principle  To the extent that you have independent grounds for believing that you have judged incorrectly about P, you lose your justification for your belief about P.
The two streams view on undermining rejects the Judgment-Independent Principle. However, it is not only consistent with, but is positively supportive of, the Evidence-Independence Principle. So, in a sense, I’m only really claiming that the Independence Principle is half wrong. I think that that may be wrong enough to defang the skeptical threat of conciliationism. (I will argue for this further down.) But it still leaves open the possibility that disagreement with others dramatically undermines our justification in an important range of cases. For it leaves room for the following principle:

**Half Independence Principle**

To the extent that you have dispute-independent grounds for believing that (i) your opponent has different direct evidence from yours bearing on the issue in dispute, (ii) your opponent’s direct evidence supports his opinion (iii) your opponent’s direct evidence is non-misleading, you lose your justification for your belief about the issue in dispute.¹

¹ This principle is an approximation at least in that the misleadingness of evidence is not really an all-or-nothing property as I describe it my formulation. Instead, it seems that evidence can be misleading to varying degrees. (For example, if your evidence supports a degree of belief .7 that P even though it turns out that P is false, your evidence there is less misleading than a set of evidence that supports a degree of belief .9 that P even though it turns out that P is false.) Taking this into account turns out to be important for accurately explaining the dynamics of evidence undermining. Hence, a more accurate principle is this:

**More Precise Half Independence Principle**

To the extent that you have dispute-independent grounds for believing that (i) your opponent has different direct evidence from you bearing on the issue in dispute, (ii) your opponent’s direct evidence supports his opinion (iii) your opponent’s direct evidence is less misleading than yours, your
The Half Independence Principle is meant to describe what happens in cases where, intuitively, discovering disagreement about P with someone who has different direct evidence about P, undermines your evidence about P. For example, imagine that you are a biochemist and you conduct an experiment to see whether a particular set of amino acids that we can call α is typically present in the blood of human beings. Suppose that testing for this is fairly complicated, with significant room for errors, but you do your best to very carefully collect the data and perform the requisite analysis. You test a large random sample, afterwards concluding that α is present in roughly 70% of humans. Fairly confident in this result, you are surprised to learn when a trusted colleague of yours tells you about a very similar experiment on a large random sample that he has just run and from which his data suggests that α is present in only about 40% of humans. At this point in your investigation, it seems clear that your justification that α is present in 70% of humans has been (at least to some significant extent) undermined. The Half Independence Principle captures what has occurred here. You have strong grounds for believing that (i) your colleague has direct evidence (in the form of his experimental data) that is different from yours. You also have strong grounds for believing that (ii) your colleague’s set of direct evidence supports his opinion about the presence of α. And, since he is a trusted colleague, you have significant grounds for believing that (iii) his justification moves in the direction of your opponent’s opinion.

However, introducing a degree-theoretic structure of misleadingness would, I think, unnecessarily complicate our discussion here. The basic claims that I’m going to make in this chapter are consistent with the more precise principle as well as the less precise one. So, for the sake of brevity and elegance in our discussion, I will proceed using the Half Independence Principle as formulated in the main body of the text and sometimes talk as though misleadingness is an all-or-nothing property.

To clarify, the idea here is that his diverging set of direct evidence support his diverging opinion apart from learning about the disagreement.
direct evidence (in the form of his experimental data) is non-misleading. The combination of these factors undermines your initial justification for believing that \( \alpha \) is present in 70% of humans. So, the Half Independence Principle captures the intuitive sense of how evidence undermining can occur in cases of disagreement. And, insofar as we have dispute-independent grounds for believing (i) – (iii) of the Half Independence Principle in regard to our opinions about controversial topics, then disagreement does indeed undermine our justification. To that extent, the skeptical bite of the conciliationist view remains.

2. What Does the Half Independence Principle Imply about our Controversial Opinions?

This naturally leads us to the very important question of what extent we actually do have grounds for believing (i) – (iii) when it comes to our controversial opinions. Are they like the biochemistry experiment case that I just described, or are they importantly different? Let’s consider each conjunct of the Half Independence Principle more carefully and think about how it may or may not apply to our actual controversial opinions.

You have grounds for believing (i) to the extent that you have dispute-independent grounds for believing that your opponent’s direct evidence bearing on the issue in dispute is different from yours. Now, it is quite plausible that, for a huge number of disputes (and agreements, for that matter), we do indeed have significant grounds for

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3 This doesn’t mean that you have less comparative reason to believing that your direct evidence is non-misleading. So, it’s not as though you should positively believe that your colleague’s experimental data is the “good” data in this case and that yours is not. Presumably, you should see each set of data as being about equally likely to be misleading here.
believing (i). This is just because it is often the case that our direct evidence is not exactly the direct evidence that others have. Most of us have not read exactly the same books (or chapters in those books), or articles in magazines, or stories from news sources (in print or on the Web), or heard exactly the same discussions on talk shows, or listened to exactly the same speakers in person when it comes to the issues in question. We can get closer to the ideal of having completely shared evidence if we think about two (or more) people making painstaking and exhaustive efforts to articulate their evidence in a sincere attempt to share it. Even here, we might think that, in the real world, people rarely, if ever, share exactly the same evidence about controversial issues. Take, e.g., some hypothetical piece of evidence, E, that you think lends support to your view. Say that you recently read that E in a newspaper. You can share this with me by telling me that. But it seems that your justification for believing that E (which might be a mental recollection of having read it in a newspaper article recently) and the justification for E that you are providing to me (which is your testimony that E, or perhaps even your testimony that you recently read E in a newspaper) are not exactly the same thing. In ways like that, opponents do diverge at least a bit in their evidence bearing on controversial topics, even if each sincerely and exhaustively articulates his evidence with the other.

4 Once might insist that two people could never share their evidence and argue for it like this:

(1) A person’s mental states are evidence.
(2) A person’s mental states are, necessarily, private and unshareable.
\[ \therefore (3) \text{ A person’s (total) evidence is, necessarily, unshareable.} \]

The problem with this argument is the second premise, which fails to take into account the type-token distinction. Tokens of mental states are indeed unshareable. But types of mental states are shareable, in both their propositional and phenomenal content. The second premise is, thus, false if we are talking about mental state types. This is important because, when we talk about sharing evidence, sharing mental state types is exactly what we should be concerned with. Two people who have all the same mental states types, have all the same mental state evidence (and, on some views of evidence (e.g., Feldman and Conee (2001)) share the same evidence simpliciter).
This is why the second conjunct of the Half Independence Principle, (ii), plays an important role. You have grounds for believing (ii) to the extent that you have dispute-independent grounds for believing that, apart from learning about the disagreement, your opponent’s direct evidence supports his opinion. But it seems to me that, for an important set of our actual opinions about controversial topics, we do not have dispute-independent grounds for believing that. Instead, we have good dispute-independent grounds for believing that our diverging sets of evidence are similar enough that they support doxastic attitudes that are virtually the same. But we know that the doxastic attitudes that we have actually formed are definitely not virtually the same as those of our opponents. They are dramatically different. (That’s why they are our opponents.) So, we have good dispute-independent grounds for believing that at least one of us is misevaluating his direct evidence, not good grounds for thinking that our different opinions were probably based on our unshared evidence.

But why should we think that our direct evidence is often similar enough? Well, in many cases of disagreement, we know enough about the relevant type of direct evidence that bears on the issue in dispute, and how much of it we have in comparison to our opponent, to see that it’s simply not plausible that what explains our disagreement is a divergence in evidence. Let’s say, e.g., I’m in a debate with someone about whether the Second Amendment of the United States Constitution grants current civilian American citizens the right to own guns.\(^5\) Let’s say that I think that it doesn’t but my friend thinks that it does. I know my friend well enough to know that he is typically aware and

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\(^5\) The Second Amendment says:

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.
informed about legal and political issues to about the same extent as I am. Now, imagine that when we disagree about the meaning of the Second Amendment, we each briefly articulate the case for our views. Neither of us is surprised to hear what the other says, as we’ve each heard that general defense before. And we retain our initial opinions despite the disagreement. After discussing the issue for a few minutes, we move on. It’s very plausible (for reasons discussed above) that my friend’s direct evidence is at least somewhat different from mine. But it also seems to me that this is the type of case where I do not have significant dispute-independent grounds for believing that my friend’s unshared evidence supports a significantly different doxastic attitude from the one that my evidence supports. There are at least two reasons for thinking this: first, my friend did have an opportunity to share any important or unusual evidence that I was missing in our brief discussion of the subject. His not doing so in that circumstance gives me reason to think that he doesn’t possess any such evidence. This is because I know my friend well enough, and know enough about people in general, to have reason for believing that, *ceteris paribus*, if someone has some obviously relevant or significant piece of evidence that someone who disagrees with him doesn’t seem to be aware of, he will share it with that person. Second, I am familiar enough with the relevant *types* of evidence and arguments that are available in the media and culture, as well as my friend’s general tendencies to avail himself to that evidence, such that I have good grounds for believing that my friend has probably not obtained some truly debate-shifting piece of evidence that I’m not aware of here. So, my friend’s unshared evidence probably supports a doxastic attitude about the meaning of the Second Amendment that is virtually identical to the doxastic attitude that my evidence supports.
Now, this doesn’t imply that the doxastic attitude about the second amendment that I actually hold is the one that is supported here. For all I’ve said so far, I could be the one whose belief is not properly proportioned to the evidence. What I’m saying is just that there is roughly one doxastic attitude, or a relatively restricted range of doxastic attitudes, supported by both my evidence and my friend’s evidence, and that I can have grounds for believing that fact about the evidence despite recognizing that I don’t share every part of my friend’s evidence. In that way, this is a case where I don’t have grounds for believing conjunct (ii) of the Half Independence Principle. So, evidence undermining does not occur for me in this case. (And so long as my friend’s dispute-independent grounds support the same kind of beliefs about my unshared evidence, the disagreement doesn’t undermine his evidence either.)

I use this case as an illustration of the kind of controversial opinions that people actually hold and how our opponents’ diverging evidence doesn’t always make an epistemic problem in itself. But the complexity of the disagreement involved about an issue such as the Second Amendment actually goes beyond one discussion with a friend. This is because, even before one gets to the point of debating such an issue with a friend, one is typically aware of the widespread disagreement about the issue. Before I talk about the Second Amendment with a friend, I already know that a huge number of people disagree with my opinion. In fact, I often know, before I even form any opinion about an issue like that, that, no matter what my opinion ends up being, there will be a huge number of people who disagree with me. So, when we think about a case like this, we really have to take into account the total disagreement that we are aware of, not just the disagreement of a friend or particular person that we are debating.
Now, when it comes to evidence held by all the people who disagree with me about the Second Amendment, it seems extremely plausible to say that my opponents have at least some evidence that is different from mine. But do I have good dispute-independent grounds for believing this evidence supports them having a belief on one side of the issue while mine supports a belief on the other side? As with the case of my one friend, I think that the answer here is that I don’t have such grounds; again, I think that my grounds indicate that all the unshared evidence supports a doxastic attitude that is virtually identical to that which my evidence supports. True, we are now talking about thousands or even millions of people that I have never met. And we might, then, wonder how I could possibly have grounds for believing that all of their evidence supports more or less the same thing that my evidence supports. But the numbers of people shouldn’t daunt us. What is of concern is what we know about the types of relevant evidence that are out there and available. I think that for issues like the meaning of the Second Amendment, a moderately informed, intelligent person can be in a position to understand that there is probably not some important, hidden or undiscovered evidence out there, possessed by some special few, that would be truly epistemically relevant to one’s opinion. Once one is familiar enough with the issue and has heard the various arguments, one probably has all the evidence that one needs. The rest depends upon proper judgment and appreciation of that evidence. So, the existence of unshared evidence, even when we are talking about thousands or millions of people, simply needn’t give us grounds for thinking that this unshared evidence is epistemically relevant to our opinion on the issue in dispute.

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6 Again, this wouldn’t mean that I have formed the correct doxastic attitude in response to the evidence. It just means that there is (approximately) one correct doxastic attitude in response to the evidence.
I think that this is the situation for a significant set of our actual controversial opinions. It seems difficult or impossible to precisely categorize which particular controversial issues this covers, and the epistemic significance of disagreement for each disputant depends upon the details of his situation. But it does seem that there are a number of controversial opinions about philosophical, political, moral, economic, and social issues for which people can be in the state that I’ve described here vis-à-vis the unshared evidence held by others. In these cases, their awareness of that evidence does not significantly undermine the justification of their opinions. So, even if the Half Independence Principle is true, it doesn’t land us with the skepticism that conciliationism does. There will be a wide range of cases where the divergence in evidence between opponents is simply not epistemically relevant. The relevant divergence in those cases is in the judgment of the opponents – i.e., in their diverging assessments and responses to the direct evidence. If we can resist judgment undermining in those cases (as I suggest that we can), then disagreement won’t undermine our justification.

2.1 Disagreeing with Experts

We are, however, not yet finished with our examination of the Half Independence Principle. For there are some public controversies where it seems that people do have strong dispute-independent grounds for thinking that their opponents’ direct evidence supports their opinions. An important class of such cases is disagreements that laymen have with experts. Many people find themselves disagreeing about certain issues with those who seem to have considerably more training and knowledge in the domain of
dispute. So, e.g., many laymen disagree with climate scientists about anthropogenic global warming, many laymen disagree with the medical community about the safety of vaccines, and many laymen disagree with evolutionary biologists about the origins of the human race. In all of these cases, the laymen, given that they are intelligent and informed enough, have strong grounds for believing that there are communities of highly trained people who have evidence and arguments that bear on the issues in dispute that the laymen don’t have. And laymen also have good grounds for believing that the experts have the ability to properly assess their evidence. Thus, since the experts have doxastic attitudes about the issues in dispute that are markedly different from those of the laymen, the laymen have significant dispute-independent grounds for believing that the experts that they disagree with have unshared evidence that supports a doxastic attitude that is very different from theirs. Their awareness of the expert opponents thus provides the laymen significant evidence undermining for their opinions about those issues.

The examples of layman-expert disagreement that I just mentioned were all cases where a significant majority of the experts agree on the issue in question. But expert consensus, either approximate or complete, is not necessary for this kind of undermining to occur. It is enough if a significant fraction of the experts disagrees with your opinion. Take, e.g., the question of what caused the collapse of the U.S. housing market in 2008. Imagine that you are no expert on the housing market or economics in general, yet you have very strong opinion about what the cause was (e.g., that it was the banks that were the primary cause of the collapse). Well, there are many economists who would disagree with you. True, there is no a consensus about this issue amongst economists. In fact, economists appear to be largely split on what they think about this topic. But there is a
significant fraction of economists who disagree with your position, and they are privy to a large body of evidence that you are not. So, independent of the dispute, it seems that there is at least a significant chance that there exists non-misleading evidence that you don’t possess that supports a position that is very different from the position that you hold. Thus, it seems that your justification for your position is significantly evidence-undermined (plausibly to the point where suspense of judgment is the reasonable attitude to take about the issue).

2.2 Rejecting the Experts?

Does this mean that you can never justifiably maintain an opinion that is opposed to a significant number of experts when you are a layman on the issue? No. You can justifiably maintain your position in cases where you have a special, dispute-independent reason for thinking that there is something wrong with the experts’ evidence or judgment. To illustrate with a fictional example, suppose that, after your own observations, anecdotal evidence, and some news pieces that you read, you come to believe that school children’s use of social media networks such as Facebook has a causal influence on their attention spans; specifically, you think that it is causing a decreased ability to pay attention for extended periods. You are, however, no social psychologist, and you learn that there is actually heated debate about this very issue amongst psychologists. There have been several experiments conducted and, apparently, the psychologists are about evenly divided when it comes to the hypothesis about decreased attention span. If this were all you knew, then it would seem that you should significantly reduce confidence
(roughly to the point of suspending judgment) in your opinion about the effects of social media. But now suppose that, through a news magazine expose, you learn a few additional facts, viz., that all of the studies that failed to detect any detrimental effect for attention span were actually funded directly (with large sums of money) by social media companies, and, worse, some of the lead researchers in those studies have been discovered to have fabricated or altered some of the data. It seems that this provides you with a special, dispute-independent reason for (mostly) disregarding the opposing opinion of those “experts”. Your own direct evidence (we can assume) supports your hypothesis about the effect of social media, and the honest experts seem to agree with you. The fact that there are (what you now know to be) compromised opposing experts doesn’t go very far (if any distance at all) to undermine your justification.

This case is fictional. Yet, we may sometimes find ourselves in positions like that vis-à-vis expert opinion. And in those cases, it is possible for one to maintain a justified opinion that is opposed to a significant group of experts who have unshared evidence. But absent a special, dispute-independent reason to doubt the evidence or judgment of the experts, it seems that opposing them is generally not something that one can do with epistemic justification. In general, it seems that your controversial opinions will not be in good epistemic standing when you (a) are aware that a significant body of experts disagrees with you, (b) you are not an expert yourself, and (c) you don’t possess some special, independent reason for thinking that there is something wrong with the experts’ evidence or judgment.\(^7\)

\(^7\)This leaves unanswered the important and difficult question of when we should take a group to be experts in the first place. That a group calls themselves experts is presumably not sufficient. Nor does it seem sufficient that the group actually has some kind of reliable methods or judgment about some domain. What is required is that it is reasonable for us to take them to be experts. I offer no general theory about that here.
2.3 Evidentially Isolated Environments

Another important way that evidence undermining can occur for our controversial opinions is when our opinions are formed in *epistemically isolated environments* – environments where arguments or evidence against the opinion that we have formed are either carelessly or willfully ignored or barred during the opinion-forming stage. This frequently occurs with groups of people who identity with or commit themselves to a certain school or thought, or religion, or political party. Within the ranks, an epistemically isolated environment often develops. New arguments or evidence – in particular, arguments or evidence that would threaten the accepted belief system of the group – are carelessly or willfully ignored.

For example, one can witness this sort of thing occurring in partisan political publications. The writers and audience of such publications typically seem to be interested in reinforcing and reaffirming their currently held political beliefs and commitments rather than engaging in a careful consideration of arguments or evidence that pose a challenge for those beliefs and commitments.8

Another place where an evidentially closed environment often seems to develop is within religious groups. Large percentages of humanity are raised to hold certain religious beliefs and commitments which seem, on the face of them, to directly conflict with the religious beliefs and commitments of other large percentages of humanity. Yet, presumably relatively few from these groups can claim a substantial grasp of the

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8 See, e.g., the magazines *The Nation* and *National Review*. 
arguments and evidence (e.g., the religious texts and historical development) of the competing religions. There evidential environment has been, and remains, isolated in that way.

I will mention one other area (that will be of obvious interest to the reader): academic philosophy. It’s tempting to view academic philosophy as, in fact, the complete opposite of an evidentially isolated environment, and as, instead, an environment where every possible argument or bit of evidence is eagerly wrought or described and then examined with great care. And that does seem to capture an aspect of what philosophy, ideally, ought to be. Yet, as we all know, the ideal and the actual are often very different, and it seems to me that there are noteworthy ways that epistemically isolated environments occur even within the broadly open and connected evidential environment of academic philosophy. First, certain sects, or schools of thought, do emerge and they can be (probably often without intending or even realizing) closed to new arguments or evidence. For example, the reception that the “experimental philosophy” movement has received in the wider philosophical community seems to illustrate the way that philosophers are quite able to form and maintain opinions in an evidentially isolated environment. My analysis of the situation is admittedly anecdotal, yet it is based on my interactions and conversations with several philosophers, so it’s not merely my own personal thoughts and reactions. What I’ve observed is a detectable tendency on the part of non-experimental philosophers (myself included) to be fairly dismissive of both the significance of the experimental philosophy movement, in terms of both its discoveries and methodology, while admittedly not being very familiar with the actual work of the experimental philosophers. Work in experimental philosophy is being done by people
who are clearly very intelligent and have training from excellent graduate programs in academic philosophy. It is being published in high quality philosophy journals. This gives us *prima facie* reason for thinking that there are some significant arguments or pieces of evidence bearing on mainstream philosophical issues that should be taken into consideration. Yet it seems that many of us are not taking them into consideration because we are not even figuring out what they are in the first place, but are, rather, dismissing them out of hand as irrelevant or insignificant.  

This does not strike me as the model of evidentially open and connected inquiry, but, rather, appears to be a case where philosophers are forming or maintaining their opinions in an evidentially isolated environment.

On an even more personal level, I can report (although only for myself), a tendency to form fairly strong philosophical opinions about topics on which I’ve read little relative to a vast existing literature that I know exists. So, e.g., I may be teaching a course where, *inter alia*, we are going to discuss philosophical issue $x$. I may have read a few canonical sources on $x$ along with an encyclopedia entry or a sundry article or two. And after thinking about it, I sometimes find myself quite convinced about a certain view on $x$. Again, though, I am aware that there is a vast literature on $x$ with which I’m not familiar. And many of the positions in that literature, as well as the positions of many people who are more familiar with that literature than I am, disagree with my position on $x$. It seems that this is to form an opinion in an environment that I know to be evidentially isolated. As such, it seems that my opinion is evidence undermined. So, it

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9 This doesn’t mean that there aren’t *informed* critics of experimental philosophy. There certainly are. For example, see Sosa’s (2007 and 2009) work on the topic.

10 This example may simply be reducible to a case of disagreeing with known experts, which is discussed in sections 2.1 and 2.2.
seems that, whether I like it or not, the justification of some of my philosophical opinions is significantly undermined by my awareness of the disagreement on them that exists in the philosophical literature and community.

2.4 The Limits of the Half Independence Principle

Those are some of the important ways that evidence undermining can indeed reduce or preclude one from having justified beliefs about controversial issues. It seems that such undermining does occur in a large number of cases, including cases in my own life. To this extent, I am in agreement with the conciliationist. The Half Independence Principle implies that a significant range of people’s opinions about controversial topics are indeed unjustified, and I’ve tried to provide a bit more detail about when and how that happens.

However, I’m also claiming that a significant number of our controversial opinions are not evidence-undermined. The disagreement about many controversial topics does not rest on important unshared evidence, but, rather, is the result of diverging assessments or judgments of what can be (for our purposes) viewed as a shared body of evidence. This happens in cases where a person is sufficiently attentive to the direct evidence that he has about the issue in dispute as well as his evidence about any direct evidence out there that he does not currently possess. So long as one is properly sensitive to these different types of evidence, one’s opinion will not be evidence-undermined. So, although the Half Independence Principle will indeed imply that some substantial number of controversial opinions are unjustified, it leaves open the possibility that a substantial remaining number of controversial opinions are justified. Whether those remaining
opinions are justified depends upon whether they are judgment-undermined. Let’s now turn to that question.

3. The Nature of Judgment Undermining

Again, the Independence Principle that is one of the pillars of conciliationism is best seen as a consequence of two more general principles of epistemic undermining. The first is:

Evidence-Independence Principle  To the extent that you have independent grounds for believing that your evidence for P is misleading, you lose your justification for your belief about P.

I’ve discussed (and endorsed) that principle and tried to show how it does indeed imply that a significant number of our controversial opinions are unjustified. But not all disputes about controversial matters rest on differences in evidence. Many are the result of divergences of judgment about a (roughly) shared body of evidence. So, to get the full skeptical sweep of the conciliationist view, the following second general principle of undermining is required:

Judgment-Independence Principle  To the extent that you have independent grounds for believing that you have judged
incorrectly about P, you lose your justification for your belief about P.

Conciliationists think that, for many of our controversial opinions, we disagree with people for whom we have strong dispute-independent grounds for believing that they are (roughly) as likely as we are to have properly assessed the evidence about the issue in dispute. Since we can surmise that at least one side of the dispute is incorrectly assessing the evidence, we thus have strong dispute-independent grounds for doubting that we’ve properly assessed the evidence about the issue in dispute. The Judgment-Independence Principle implies that, in such a situation, the justification of those opinions is substantially undermined. So, we get the conciliationist result not only for cases where we have diverging bodies of evidence, but also for cases where the disagreement rests on only divergences of judgment.

This is where my difference with the conciliationist lies. In the previous chapter, I made my case against the Judgment-Independence Principle, offering the two-streams view of justification as a framework for understanding the justificatory differences between the two types of undermining. That picture was, however, only a rough sketch in terms of details about exactly when, and to what extent, judgment undermining does or does not occur. One of my claims was that there are important cases where, when one properly assesses the direct evidence, one can maintain justification even in the face of judgment-undermining evidence. This includes cases where the judgment-undermining evidence is disagreement with smart and informed opponents. But which cases are ones where justification is maintained? All of them? Only some? And to what extent does
one’s justification remain in such cases? These and other questions about the nature of judgment undermining are exceedingly difficult. I will try here to map out some of the contours and explain in more detail how my view diverges from the alternatives.

3.1 The Hard Line View versus the Moderate View

Simply saying that the Judgment-Independent Principle is false tells us nothing about how it is false. And there are importantly different ways that it could be false. There are two particular ways that we should consider. The first says that the Judgment-Independence Principle is false because there just is no such thing as judgment undermining, ever, to any extent. We can call this the hard line view. In contrast, there is what we can call the moderate view. This second view says that the Judgment-Independence Principle is false because one’s justification isn’t always undermined to the extent that one has judgment undermining evidence. I endorse the moderate view. To see why, let’s briefly examine the benefits and costs of the hard line view.

3.2 Advantages of the Hard Line View

The hard line is the theoretically cleaner view and, for that reason, is attractive. Compared to the moderate view, it doesn’t face difficult and messy questions about when judgment undermining occurs and to what extent. Judgment undermining simply doesn’t occur, period. The upshot is that the hard line view has a significant advantage over the moderate view in terms of theoretical elegance.
The hard line view also neatly avoids a nasty and perplexing problem that faces both the moderate view as well as conciliationism: the problem of self-undermining. Since there is significant disagreement amongst intelligent and capable philosophers about the truth or falsity of the moderate view as well as conciliationism, it seems that these very views on disagreement could imply, or may actually imply, that we aren’t justified in believing them. The problem is most pronounced for the conciliationist. Since he endorses the Judgment-Independence Principle, he is committed to the idea that one’s justification is always undermined to the extent that one has judgment-undermining evidence. So, it seems that the disagreement about his conciliationist position that he faces from his smart philosophical opponents should significantly undermine his justification for believing that conciliationism is true.\(^\text{11}\) This presents the conciliationist with a serious problem.

Whether the problem is as bad for the moderate view depends upon the particular details of the moderate view. But moderate views are at least, in principle, open to the same problem. Since moderate views allow that judgment undermining can occur in some cases, one could have a moderate view that allows for undermining of one’s beliefs about the status of judgment undermining (and the Judgment-Independent Principle) itself. One might, in fact, argue that the most plausible versions of the moderate view will imply that the current state of debate in philosophy on the epistemology of disagreement does indeed undermine one’s beliefs about undermining and the epistemology of disagreement. If that were true, then a holder of the moderate view would find himself in

\(^{11}\) Since epistemological theories are not only facts about the way that things are but also prescriptions about how one ought to believe, an epistemological theory that is self-undermining in the way I’ve been describing raises further questions about what one ought to believe in that case. I will not address these extremely difficult questions here.
the same position as the conciliationist vis-à-vis the problem of self-undermining: he would hold a view that implies that he isn’t justified in holding that very view. So, the moderate view at least faces a serious threat of self-undermining that it has to address.\footnote{Elga (2010), Frances (2010), and Christensen (Forthcoming) attempt to solve the problem of self-undermining.}

In contrast, the problem of self-undermining simply doesn’t arise for the hard line view. That, combined with the fact that it can offer an elegant, clean answer to the question of when and to what extent judgment undermining occurs – viz., that it doesn’t – count as two significant features in favor of the hard line view.

### 3.3 A Problem with the Hard Line View

However attractive these positive features of the hard line view, there is a significant disadvantage that it bears: implications about particular cases that are intuitively extremely implausible. There are cases where, despite impeccable judgment and reasoning, it seems intuitively clear that your justification is undermined. Many people find that Christensen’s (2009) Mental Math case elicits a strong intuition that justification has been undermined.

**Mental Math:** You and your friend have been going out to dinner together regularly for many years. You always tip 20\% and split the check (with each person's share rounded up to the nearest dollar), and you always each do the requisite calculation in your head upon receiving the check. Most of the time you have agreed, but in the instances when you haven’t, you’ve taken out a calculator.
to check; over the years, you and your friend have been right in these situations equally often. Tonight, you figure out that your shares are $43, and become quite confident of this. But then your friend announces that she figures your shares at $45. Neither of you has had more wine or coffee, and you don’t feel (nor does your friend appear) especially tired or especially perky. How confident should you now be that your shares are $43? Many people agree that in this sort of case, strong conciliation is called for: you should become much less confident in $43—indeed, you should be about as confident in $45 as in $43. (p. 757)

If you aren’t moved by the force of the intuition about this case, let’s change the details a bit so that it’s not just one friend that you are dining with and performing the mental calculations with; it’s five friends. And you know about the highly reliable track-records of each of them. Suppose that when the check for all of your meals arrives, you and each of your five friends independently perform a mental calculation to determine how much your shares are (including the same 20% gratuity as specified in the original example). And while you arrive at the answer of $43, each of your five friends arrives as the answer of $45. Imagine further, that one of your friends even takes out a calculator to check and arrives at $45. How confident should you be in your answer in this version of the scenario?

It seems very implausible to think that you would be justified in maintaining your belief that the value of the shares is $43 in this case. (In fact, it seems very plausible that you should believe to a considerable extent that the value of the shares is $45 at this point.) This seems right even if, in a freak occurrence, not only have each of your reliable
friends miscalculated, but even the electronic calculator malfunctioned and delivered the incorrect answer of $45! Even if that extremely unlikely conjunction of events occurred and the correct answer is $43, and you actually calculated impeccably, it seems as though your justification is still undermined given the dispute-independent evidence that you have acquired in the situation.¹³

The hard line view has to maintain that, despite this overwhelming preponderance of judgment-undermining evidence that you acquire in this scenario, you would still remain full justification in your belief that the shares are $43. I find this to be too high a cost to pay. Accordingly, I cannot accept the hard line view.

3.4 The Moderate View

The moderate view has the great advantage of being able to accommodate our strong intuitions about cases where our justification is dramatically undermined. But it faces the challenge of explaining why such undermining occurs only sometimes and to what extent it occurs. So, can it meet that challenge? My proposal is that one part of the answer has to do with what we can call the thickness of the undermining evidence. Let me explain what this is and how it factors into undermining.

3.5 Thickness

Thickness can be thought of as a dimension of epistemic justification that is orthogonal to a certain kind of probability that evidence provides. Different sets of evidence can

¹³ Compare the example that Kelly (2010, p. 137) describes.
support the same numeric probability to greater or lesser degrees. This varying degree of support is the thickness. To illustrate the idea with an example, imagine that you are a competent meteorologist trying to figure out whether it is raining in a geographical location \textit{L}. All that you know about \textit{L} is that it rains 15% of the time there. Based on this, what should you think about whether it is raining in \textit{L} right now? It seems reasonable to have a certain degree of belief that it is not raining in \textit{L} right now. More precisely, it seems that a degree of belief (or subject probability) .85 is appropriate.

Now, compare this to a situation where, in addition to what you already know about \textit{L}, you get extensive knowledge about the general climate and geographical features of \textit{L} as well as surrounding areas, and you obtain detailed meteorological data about recent various weather systems moving through the region, current up until a few hours ago. Imagine that this evidence supports an inference that there is a 15% chance that is raining in \textit{L} right now. In this case, you should also have a certain degree of belief that it’s not raining in \textit{L} right now. Again, it seems that .85 is the appropriate degree of belief.

Notice, though, how different your epistemic justification is in these two cases despite the same numeric probability. The difference is in the thickness. Even though the numeric probability is the same in each case, the evidence provides significantly more support for the probability in the second case. In the first case, your evidence is thin, and the in the second, it is thick. One important characteristic of the degree of thickness that

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14 Thickness is similar to or the same as what Joyce (2005) calls “weight”. He gets the terminology from Keynes (1921), who seems to have the same thing in mind. I’m not going to adopt their terminology because ‘weight’ is already employed in a different way in the literature on disagreement (in discussions of the “equal weight view”, which is a term coined by Elga (2007), and a view that we’ll actually discuss a bit below). I’m concerned about confusing the reader, so I’ll avoid using the term ‘weight’ here.
one’s justification has lies in how easily or difficult it is for that evidence to be outweighed by counter-evidence. For example, the thin set of evidence in the first version of the weather prediction scenario can be outweighed much more easily than the thicker evidence in the second version can be. Take the first version, where all you know about $L$ is that it rains 15% of the time. You have thin evidence that supports a degree of belief .85 that it isn’t raining in $L$ right now. But now imagine that you learn that there are dark clouds in the sky in $L$. This new information has a significant effect on the degree of belief that it is now reasonable for you to have about whether it is raining in $L$. You should, at the very least, be far less confident that it isn’t raining and, perhaps, should even partially believe that it is raining. This is because the relatively thin evidence that you had for your degree of belief that it’s not raining is significantly counterbalanced or, perhaps, even outweighed by the new information.

Things are different in the second version of the situation, where you have extensive data about $L$ and relatively recent data about weather systems moving through the region. There, you have much thicker evidence supporting a degree of belief .85 that it’s not raining in $L$. Learning that there are dark clouds in the sky in $L$ presumably defeats some of your justification for believing that it isn’t raining, but significantly less in this case. This is because your initial evidence is thicker in this case. It isn’t offset very much by the new information.
3.6 Thickness, Judgment Undermining, and Disagreement

My proposal is that the extent of judgment undermining that occurs depends upon the thickness of the undermining evidence in comparison to the thickness of the direct evidence. In some cases, we have very thick judgment-undermining evidence. For example, in Christensen’s Mental Math case, you have extensive comparative track-record knowledge about your friend. This gives you relatively thick grounds for thinking that he is just as likely as you to be right if there’s a disagreement. It’s like, in our weather predication scenario, having detailed geographical and meteorological data from which you can make an inference. The thick grounds for thinking that your friend is as likely as you to be right provide significant epistemic undermining for any justification that you initially got from your quick mental calculation about your share of the bill.

Let me emphasize here that the reason that there is extensive judgment undermining in this case is not simply that you have independent evidence for a degree of belief .5 that you are wrong in the case of disagreement. That in itself says nothing about the thickness of that degree of belief. What’s important here is that you have thick evidence for that degree of belief. That’s why your justification about the shares of the bill can be significantly undermined even if your mental calculation about the shares was impeccable.

Compare the dispute-independent undermining evidence that you have in a situation like that to the dispute-independent evidence that you have for thinking that your opponents on moral, political, or philosophical issues are right. Let’s start with opponents that you disagree with extensively – i.e., it’s not just one or two fine points that
you disagree about, but entire “clusters” of interconnected issues. Here, think of people who have vastly different world views, perhaps based on deep religious commitments, political ideology, or very different philosophical temperaments (e.g., those who are extremely committed to “naturalism” in philosophy as opposed to those who aren’t). You might often first notice our disagreement with such people as it pertains to one particular issue (e.g., whether the Earth is billions or years old or not, whether income tax rates should be higher, or whether there are non-physical mental states). But if you proceed with a discussion or debate, you discover that the initial dispute is only the tip of the iceberg of disagreement that lies beneath the surface, each of you with a large network of interwoven beliefs that the other rejects. For such opponents, you certainly don’t have anything like the kind of track-record of your opponent’s success that you can point to in cases like Mental Math. You may have some general grounds for thinking the other person is as likely as you to be right. Your opponent may be a generally intelligent and informed human being. But don’t these grounds strike us as quite thin in comparison to the other case? Isn’t our dispute-independent evidence about the reliability of our opponents with substantially different world views more like the evidence that a mere annual rainfall statistic supplies us about whether it will rain today? It seems similarly thin, relatively abstract and lacking in rich detail. And, accordingly, I think that such undermining evidence doesn’t do much to the justification of our beliefs about disputed topics.

Again, let me emphasize that the dispute-independent degree of belief that is appropriate is not what’s important. In cases where we have thick undermining evidence

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15 See Chapter 2, sections 2 – 4.1, for a discussion of such disagreements.
16 I discuss the differences in Chapter 2, section 2.
(e.g., Mental Math) and in cases where we have only thin undermining evidence, the appropriate dispute-independent degree of belief that our opponents are right can be the same. Consider our opponents with very different world views. Even though we have no substantial track-record of agreement with them on the issues in dispute and our disagreements are wide-ranging, we still share what Foley (2001) calls “broad cognitive commonalities among humans”, which encompass a tremendous amount of cognitive similarity. It is plausible that, because of our awareness of these cognitive commonalities, the appropriate dispute-independent degree of belief that our opponents are right about the controversial topics should be \( \approx .5 \) – i.e., it’s plausible that, when we set aside the entire cluster of issues that is in dispute, we should think that they are (roughly) as likely as we are to be right. This is the same degree of belief that our opponents are right that we have in cases like Mental Math. The difference lies in the thickness of the evidence supporting that degree of belief. In the thick cases, it serves to significantly undermine our justification about the issue in dispute. In the thin cases, I claim, it does not significantly undermine our justification. And our dispute-independent grounds for thinking that those with very different world views are right seem to be relatively thin. In this way, disagreement with such folks does not pose much of threat to our justification.

Many disagreements, however, seem to fall into an intermediary class. These classes are, of course, just rough groupings with no clearly marked boundaries. Some of the disputes that I just spoke of, involving folks with very different world views might fall close to or

17 See my discussion of this in Chapter 2, section 4.2.
18 Of course, this is a matter of degree. So long as there is any amount of independent judgment-undermining evidence, some amount of undermining occurs. But this amount can be negligible if the undermining evidence is thin enough.
19 These classes are, of course, just rough groupings with no clearly marked boundaries. Some of the disputes that I just spoke of, involving folks with very different world views might fall close to or
agreement and confirmation as is the disagreement in Mental Math. But they also aren’t
enmeshed in the extensive clusters of disputed beliefs that comprise clashing world
views. The intermediary cases may turn on relatively small clusters of disagreement,
sometimes involving only one or two issues. In these cases, our agreement with our
opponents on a wide range of fairly similar background issues gives us dispute-
independent evidence of an intermediary thickness for believing that they as likely as we
are to be right. Compared with our weather forecasting scenario, the evidence here is not
as thin as the mere annual statistic about rainfall. But it’s also not as thick as the detailed
geographical and recent climatological evidence that is available in the second version of
the scenario. Instead, it’s somewhere in the middle. Accordingly, it seems that a non-
negligible degree of undermining occurs. Yet, if one has thick direct evidence for his
view, he will be able to maintain it to a significant degree of justification even in the face
of such undermining evidence.

It seems to me that many of our disputes about moral, political, religious, social,
aesthetic, historical, economic, philosophical, and even some scientific issues fall into
this intermediary class. We have opponents who have more in common with us than just
being human beings able to navigate the world on a day-to-day basis. We see them as
sensible about a range of related topics, sometimes very close to the ones in dispute. Yet
we still don’t reach the Mental Math level of peerhood with these folks. Because of the
complicated nature of the disputed issues, it’s often not clear how close or how far they
are to the issues that we agree with each other about. Additionally, there is unclarity
about the belief-forming methodology behind our disputed opinions and what we should

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sometimes even within the intermediary grouping depending on just how different their world views are or the size of the cluster of disputed issues.
think about the reliability of our opponent’s belief-forming methods. There are at least two reasons for this: first, we lack a way to independently confirm or calibrate our belief-forming methods about controversial issues. Second, it is unclear whether the methodology behind our disputed opinions is relevantly the same methodology that we use in the cases where we agree with our opponents. Because of these factors, it’s unclear how reliable we should take our opponents to be.\footnote{For an illustration of these issues, see my discussion of Williamson’s “knowledge first” program in philosophy in Chapter 2, section 2.} Given these features of the disputes, it seems plausible that our dispute-independent evidence bearing on the probability that our opponents are the ones correctly assessing the direct evidence falls in the intermediate range of thickness. On the view being defended here, this allows those who properly assess thick direct evidence to maintain some degree of justification for their opinions on moral, political, religious, philosophical, etc., issues. It is, thus, a non-conciliationist epistemology of disagreement.

Let me give a rough illustration of the kind of disagreement that can fall into this category. Say that Smith is an epistemologist who is interested in the internalism/externalism debate about epistemic justification. More specifically (since those terms can refer to a number of theses), let’s take the idea of “mentalism” – that one’s epistemic justification strongly supervenes on one’s mental states.\footnote{See Feldman and Conee (2001).} Suppose that after having both read and thought extensively about these issues for several years, Smith comes to have a fairly strong degree of belief that mentalism is true. Smith is familiar with the arguments and evidence offered by the other side and quite aware of the persistent disagreement about the issue.\footnote{Compare van Inwagen’s (1996 and 2010) descriptions of his debate about free will with David Lewis.} He is aware that the epistemologists who
oppose his view are very often intelligent and informed, and he agrees with some of them about many other philosophical issues. But let’s further suppose that, all things considered, the direct evidence bearing on mentalism really does objectively, and relatively thickly, support it as being true. And Smith is properly appreciating the probative force of that evidence. I think that this is the type of situation where Smith can retain a significant degree of justification. Yes, his belief that mentalism is true is undermined to some non-negligible extent because of his awareness of the disagreement about it. But his dispute-independent grounds for believing that his opponents are the ones judging correctly seems to be of only intermediary thickness because of the types of reasons I described in the previous paragraph. So, on balance, Smith can maintain a justified belief that mentalism is true. In this same way, I claim, we can justifiably maintain many of our opinions about controversial topics in the face of disagreement.

4. Moderate Non-Conciliationism

This form of moderate non-conciliationism has the advantage of capturing many of our intuitions about the epistemic significance of disagreement. It can fully accommodate cases of evidence undermining (as discussed earlier in the chapter). Unlike the hard line view discussed above, it acknowledges that judgment undermining occurs as well. In fact, it can accommodate our strong intuitions that judgment undermining can leave with us with no significant positive degree of justification for a proposition (e.g., Mental Math and the strengthened version of that case that I described earlier). But it also captures intuitions that many of us have about cases where judgment-undermining evidence does
not completely undermine our beliefs. Take, e.g., our beliefs about philosophical issues. No doubt, many of them are widely disputed by highly intelligent, informed opponents. If judgment undermining decreases our justification to the same extent that evidence undermining does, then, as conciliationism says, we are presumably quite unjustified in most or all of our contested philosophical opinions. The question that we should now consider is whether we really believe that. Do we really think that epistemic rationality requires suspending judgment on all those issues? Or do we think instead that, at least in the cases where we are actually weighing the evidence correctly and reasoning properly, our philosophical positions are justified and our opponents have it wrong?

Consider the same question for our disputed views on politics and economic policies. Or think about more personal, yet still highly contested, issues such as child-rearing matters, obligations to family and friends, and household finance issues. Again, do we really believe that that epistemic rationality requires us to suspend judgment about all of those issues? Or do we instead find ourselves not only persisting in our beliefs about the disputed topics, but also convinced that at least some of contested opinions really are supported by the evidence and arguments?

Several of us, myself included, find it very difficult to believe the conciliationist conclusion. It seems to us that our opinions are justified, despite the recognition that we lack dispute-independent reasons for believing that our opponents are wrong. The alternative seems implausibly skeptical. If you share this sense, you have a prima facie reason to accept the position on undermining that I’m defending in this dissertation. For if the opposing view is true – i.e., that judgment undermining decreases our justification

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23 This thought is expressed in various ways by Elga (2007), Goldberg (2009), and van Inwagen (1996 and 2010).
to the same extent that evidence undermining does - it appears that the conciliationalist position on disagreement is correct and, hence, that our disputed opinions are unjustified.\(^{24}\) So, insofar as the reader finds this conciliationalist implication doubtful or implausibly skeptical, he should, (roughly) to that extent, find the position on undermining proposed in this dissertation attractive.

5. Thickness and the Judgment-Independence Principle

Since I’m offering this position as an alternative to other views on undermining and disagreement, it’s important that I clarify what sets it apart. In particular, I’d like to explain why those other positions can’t incorporate the view on the role that thickness plays in determining the extent of undermining. This is a point worth making because there may be philosophers who would like to maintain the Judgment-Independence Principle yet still try to take on board what I’ve said about thickness. The result would be a non-skeptical position on our beliefs about controversial issues that, nonetheless, accepts the Judgment-Independence Principle. Such a position would be attractive in several ways. First, it would avoid excessive skepticism and, thus, comport with our anti-skeptical intuitions. Second, it would offer a theoretically attractive parity in its description of the way that evidence undermining and judgment undermining work. Third, and perhaps most importantly, it would preclude the kind of epistemic circularity that comes along with rejecting the Judgment-Independence Principle.

\(^{24}\) Of course, one’s disputed opinions could be unjustified \textit{regardless} because they simply aren’t supported by the direct evidence bearing on them. But for our disputed opinions to have even a chance of being justified, conciliationism must be false.
Since I’ve formulated various Independence Principles in my own terms, I think it will be important here to look that the actual formulations of those who have explicitly defended the Independence idea to see whether there is room for them to incorporate thickness in the way that I’ve described. (The principles of Independence in the literature are specifically addressed to cases of disagreement, but it would be easy enough to reformulate them so that they were about judgment-undermining in general. I will leave them as they are on the assumption that the upshot of the following discussion applies, mutatis mutandis, to the general Judgment-Independence Principle as well.) The two most prominent and important, explicit defenders of Independence are Adam Elga (2007) and David Christensen (2007 and 2011). Elga states his Independence principle as follows:

**Equal weight view** Upon finding out that an advisor disagrees, your probability that you are right should equal your prior conditional probability that you would be right. Prior to what? Prior to your thinking through the disputed issue, and finding out what the advisor thinks of it. Conditional on what? On whatever you have learned about the circumstances of the disagreement. (p. 490)

Elga is employing a Bayesian framework. So, instead of beliefs, he is talking about probabilities (which are degrees of belief). When he talks about the “prior conditional probability that you would be right” we can translate that to talk about what we’ve been
calling the dispute-independent grounds for believing that you are right. So, in effect, Elga is saying that when you learn of disagreement with someone, your degree of belief that you are right and your opponent is wrong should be equal to the degree of belief supported by your dispute-independent grounds.

One of the noteworthy features of the thickness of evidence, as I described earlier, is that sets of evidence with varying degrees of thickness can, nonetheless, support the same degree of belief in a proposition. (This was illustrated with the two versions of the weather forecasting situation.) So, different sets of dispute-independent evidence in different cases of disagreement can have varying degrees of thickness yet each support a degree of belief of, say, .5 that your opponent is right. So, on Elga’s view, it appears that, regardless of how thin your dispute-independent evidence, if it supports a degree of belief of, say, .5 that your opponent is right, then that’s the degree of belief that you are stuck with in a disagreement, regardless of how thick your direct evidence is on the issue in dispute. So, it seems that Elga’s view simply bars taking any contrasts of thickness between the dispute-independent evidence and the direct evidence into account. Moreover, since it is quite plausible that we have at least some thin dispute-independent evidence for believing that our opponents on many controversial topics (e.g., moral, political, religious, and philosophical issues) are (roughly) as likely as we are to be right, it seems that Elga’s view implies a fairly radical conciliationism.

25 This is not obviously a completely accurate translation in the sense that it isn’t clear whether a prior probability must be a belief, or disposition to believe, that is actually held by the agent, or whether a prior probability can be something that the agent has justification for, regardless of whether he actually believes it or is disposed to believe it. Since I am, here, largely interested in the latter notion – which is the idea of propositional justification – I will go ahead and act as though Elga’s view is talking about this as well. For our purposes, I don’t think that it’s important whether he really is or isn’t.

26 Given Elga’s (2007) explicit aim to avoid an overly conciliatory or skeptical position, it is interesting to note the implications of his own “equal weight view”. Elga is concerned with avoiding what he calls “spinelessness” – the idea that “one should suspend judgment about everything that one’s smart and well-
Christensen (2011) avoids explicitly committing to dispute-independent probabilities in the way that Elga does. Instead, his preferred formulation of the Independence principle says:

Insofar as the dispute-independent evaluation *gives* me good reason to be confident that the other person is equally well-informed, and equally likely to have reasoned from the evidence correctly, I must revise my belief in the direction of the other person’s. (p. 15)

Someone who endorses this principle may claim that he can take what I’ve said about thickness into account quite readily. They relevant key phrase in the principle is ‘Insofar as the dispute-independent evaluation *gives* me good reason’. We might naturally think that *thin* dispute-evidence simply doesn’t give one much good reason to take their opponent seriously while *thick* dispute-independent evidence does. So, can’t we accept informed friends disagree on, which means suspending judgment about almost everything interesting” (p. 478). And while he doesn’t give us an exact list of the opinions that he thinks are *not* undermined by disagreement, he gives us the example of a debate about abortion (p. 492-3), discusses political beliefs (p. 493), and also considers the following objection to his equal weight view:

Do you have any convictions on controversial political, philosophical, or scientific matters? The equal weight view seems to say: kiss them goodbye. It is implausible that rationality requires such spinelessness (p. 484)

Elga claims that the equal weight view does *not* imply such spineless. And it seems reasonable to think that Elga would find a substantial conciliationist view to be a *spineless* view. The problem is that it seems that we will often have at least *some* thin dispute-independent grounds for believing that our opponents on the types of issues Elga mentions are (roughly) as likely as we are to have judged correctly. And, on the equal weight view, that appears to entail exactly the kind of “spinelessness” that Elga would like to avoid.

I take it that Christensen’s Independence principle is consistent with the one that I have formulated and critically examined in this dissertation. The one difference is that Christensen formulates his in terms of a rule of belief revision while I formulate mine in terms of propositional justification, since propositional justification is what I’ve been focusing on in this dissertation.

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27 I take it that Christensen’s Independence principle is consistent with the one that I have formulated and critically examined in this dissertation. The one difference is that Christensen formulates his in terms of a rule of belief revision while I formulate mine in terms of propositional justification, since propositional justification is what I’ve been focusing on in this dissertation.
both Christensen’s Independence principle and the view on the role of thickness in undermining that I’m proposing?

Here’s why this will be problematic: even if we talk in terms of the extent to which things give a person good reason, we would still like to say something about what degrees of belief a person is justified in holding. I think that Christensen’s view won’t be able to make sense of this in a way that accommodates my view of thickness for much the same reason that Elga’s view can’t. For it seems that, even if we don’t have very thick dispute-independent “good reason” to have a degree of belief of, say, .5 that our opponent is right, in many cases we will have at least relatively thin dispute-independent “good reason” to have that same degree of belief that our opponent is right. And, then, just as with Elga’s view, it seems that we are stuck with that degree of belief regardless of how thick the direct evidence is for the issue in dispute.

To illustrate the problem, let’s consider a diachronic version of the dispute about “mentalism” that I described earlier. Let’s say that before he even begins to read and think about the issue of mentalism, Smith considers how likely it is that he will misjudge

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28 Christensen’s principle is (as he freely acknowledges in his 2011) fairly imprecise, enough to raise questions of interpretation. I’ll argue below that any plausible interpretation will yield the problem that I’m going to raise here.

29 Whether or not one can maintain a justified belief about mentalism in the face of disagreement is not what’s of central importance at this point. The question is whether Christensen’s Independence principle can take the varying thickness of evidence into account in the general way that I’m proposing. Even if the position on thickness that I’m proposing is correct, it’s a further question what it will imply about various individual cases of disagreement, including disagreement about mentalism. But if Christensen’s view can accommodate thickness in the same way that I’m proposing, then there is will be some possible disagreement where a person has relatively thin dispute-independent grounds about the competence of his opponent compared with relatively thick direct evidence about the issue in dispute. Whatever such case is, that’s the kind of example that we should have in mind now. I’ll use my particular example with Smith just to play that role. For our purposes we can just assume, for the sake of argument, that the thickness of Smith’s direct evidence in support of mentalism really does considerably outweigh the thickness of his dispute-independent evidence that his opponents are right.
the arguments and evidence in the case of a dispute.\textsuperscript{30} I have suggested above that Smith has dispute-independent grounds of only intermediary thickness for believing that his opponents would be (roughly) as likely as he would to be right. So it seems that he would now be justified in forming the degree of belief $\approx 0.5$ that his opponents will be right in the case of a dispute about mentalism. Thus, he is now justified in forming a degree of belief $\approx 0.5$ that he will have misjudged the direct arguments and evidence in the case of a dispute about mentalism. Suppose that he does indeed form that degree of belief. Now, suppose that Smith reads the literature and ruminates deeply about mentalism, gaining access to the direct evidence that bears on mentalism. And suppose, as we did earlier, that this evidence is relatively thick in comparison with his dispute-independent evidence about his opponents. As an illustration of my proposal about how thickness factors into undermining, I suggested that we can imagine the balance of justification in this example leaving Smith with some significant degree of justification for believing that mentalism is true. But on Christensen’s view, can this difference in thickness explain how Smith can now come to justifiably form a degree of belief greater than $\approx 0.5$ that mentalism is true? I don’t see how. For, if Smith is able to do this, he will have to decrease his degree of belief that, in the case of a dispute, he has misjudged the direct arguments and evidence that bear on mentalism.\textsuperscript{31} If, say, the thickness of the direct evidence for mentalism balanced against the relatively thin dispute-independent evidence allows for a justified degree of belief $0.7$ that mentalism is true, then Smith will have to be justified in decreasing his degree of belief that he has misjudged the direct arguments and evidence

\textsuperscript{30} Of course, here, Smith would presumably know, ahead of time, that a dispute will occur, regardless of what opinion he forms about mentalism. But this detail is irrelevant to our purposes here and we can ignore it.

\textsuperscript{31} I argue for a general requirement of this sort in Chapter 3, section 8.
to .3. But on what basis can this justified decrease occur? What has Smith learned that would allow for this justified modification in his belief? Is it because he learns that the direct evidence is much thicker than the dispute-independent evidence? Or is it because he learns that he has formed a belief about mentalism based on this relatively thick evidence? No. Those are things that Smith could well know before he ever acquired the actual direct evidence and formed his belief about mentalism. When he was initially forming his dispute-independent degree of belief about whether he would be the one to misjudge the direct arguments and evidence in the case of a dispute, we can imagine that Smith was fully aware that the direct evidence (that he didn’t yet possess) is much thicker than his dispute-independent evidence about whether he will misjudge. He could also reasonably believe that he will eventually form a belief about mentalism based on relatively thick evidence that he will come to possess. But, even taking this into consideration, it seems clear that, at that point, the justified degree of belief that he will misjudge is still ≈ .5. It makes no difference whether Smith knows about the general difference in the thickness of the direct evidence that he will eventually acquire, or that he will form some belief based on that evidence. This means that, if something about Smith’s justification changes when he acquires the direct evidence, it’s not just his knowing about the thickness of that direct evidence or the fact that he has formed a belief based on that direct evidence.

32 What I say here applies even if Smith should have initially suspended judgment, rather than formed a degree of belief ≈ .5, about whether he would properly judge the direct evidence in the case of a dispute. (I note this because many people think that those are two distinct doxastic states.) Smith would still require some basis for justifiably modifying his doxastic state from suspense of judgment to a degree of belief .3.
So, what does Smith learn that allows him to justifiably modify his belief? We are left with only one answer: the content of the direct arguments and evidence about the issue in dispute. That is what allows Smith to justifiably modify his belief. The problem is that this seems to be exactly the kind of thing that Christensen takes to be off limits as a basis for modifying your beliefs in the face of disagreement. Presumably, Christensen (2007 and 2011) would find it viciously circular or question-begging if Smith appealed to the direct evidence on the issue in dispute as a basis for modifying his belief about whether he properly judged that very evidence. In fact, that’s exactly what the Independence principle is meant to prohibit.

At this point, I think we can see that Christensen’s view may simply collapse into Elga’s. With no explanation of how one can justifiably modify a degree of belief based on the dispute-independent evidence once one obtains the direct evidence about the issue in dispute, a logical next step would be to conclude that one simply can’t justifiably modify that degree of belief, that one would be stuck with whatever degree of belief one had based on the dispute-independent evidence. And, given coherence requirements between one’s beliefs about how one judged the direct evidence and what one can justifiably belief about the very issue in dispute, one would then be (rationally) forced to match his degree of belief about the issue in dispute with his justified degree of belief about whether he properly judged the direct evidence. But what I’m describing now just is Elga’s equal weight view. I have trouble seeing how Christensen’s and Elga’s views don’t end up in the same place.
It appears, then, that neither Elga’s nor Christensen’s principles provide us with the materials for a view that both endorses Independence and is able to accommodate the view on thickness that I’m defending in this chapter.

5.1 Alternative Interpretations of Christensen’s Principle

Christensen’s principle is vague enough to raise questions of interpretation. My main confusion about it arises from the fact that he phrases it in terms of having “good reason” to be “confident” that the other person is equally likely to have reasoned correctly. It’s not clear to me whether the ‘confident’ is meant to denote some sufficiently high degree of belief or whether it is some other dimension of belief, distinct from the degree. (So, e.g., there might be a confident degree of belief ≈ .5 in contrast to an unconfident degree of belief ≈ .5.) Fortunately, I don’t think that we need to get bogged down in interpretation. That’s because any sensible interpretation of the principle is as a principle that allows for degrees of undermining. More precisely, the principle is telling us that there is some function F from possible sets of dispute-independent evidence to varying degrees of undermining.\(^\text{33}\) More precisely, the principle is telling us that there is some function F from possible sets of dispute-independent evidence to varying degrees of undermining. But any such version of Christensen’s principle will face the same general problem that I laid out above, which we can state as follows: taken

\(^{33}\) Could we sensibly interpret the principle as saying that there is some all-or-nothing state of undermining that occurs when one’s dispute-independent evidence crosses some kind of threshold? Not sensibly. Christensen himself not only explicitly and directly tells us not to interpret his principle that way, but he also provides the rationale for why an all-or-nothing principle is not plausible:

\[\ldots\] The ‘insofar’ in [the Independence principle] should be understood as indicating that the undermining power of disagreement by apparent epistemic equals is not all-or-nothing. When one evaluates the epistemic credentials of another’s beliefs in a dispute-neutral manner, one may get varying strengths of reasons for thinking that the other person is as well-informed and as likely to have reasoned correctly as one is oneself. The stronger one’s reasons for thinking equally well of the other’s epistemic credentials, the more one should revise one’s beliefs. And this, I think, is how it should be intuitively. (2011, p. 16)
independently of the direct evidence, the dispute-independent evidence will sometimes support a doxastic attitude \( d \) about one’s assessment of the direct evidence that is \textit{different} from the doxastic attitude that is supported when the dispute-independent evidence is combined with the direct evidence bearing on the issues in dispute. And, as I illustrated above with my diachronic description of such a case, there is no plausible explanation for what justifies the \textit{modification} of \( d \) other than the \textit{content of the direct evidence about the issue in dispute}. For this reason, no sensible interpretation of Christensen’s principle will be able to accommodate my position on the role that thickness plays in epistemic undermining.\(^{34}\)

\textbf{5.2 Thickness and Judgment-Circular Reasoning}

I think that the important conclusion to draw here is that thickness cannot function in the way that I’m proposing here unless we allow for judgment-circular reasoning – i.e., we are able, to at least some extent, to base our evaluations of whether we properly judged some bit of evidence on our evaluations of that very evidence. (I discuss and defend judgment-circular reasoning at length in Chapter 3.) Since Independence principles are meant to capture exactly the idea that such reasoning is \textit{illegitimate}, it follows

\(^{34}\) Unlike Elga, being unable to avoid a fairly skeptical, conciliationist position is not a concern for Christensen. He (2007) is, rather, a \textit{proponent} of conciliationism. So although I’ve been looking at the question of whether one could accept my view on the role of thickness while \textit{also} accepting the Independence Principle, we should note that this is not necessarily something that Christensen himself will have interest in doing, at least not in the service of avoiding conciliationism.

Still, I think that the inability to accommodate the thickness of evidence in the way that we’ve been considering \textit{should} be of concern to both Christensen and Elga. They are both concerned with avoiding \textit{absurdly} radical skepticism as an implication of their views. And, for the kinds of reasons discussed in Chapter 2, section 6, there are legitimate questions about whether conciliationist positions can do this. Being unable to accommodate the role of the thickness of evidence will presumably exacerbate those worries.
straightforwardly that the view on thickness that I’m proposing is incompatible with the idea of Independence. So, the present view on thickness and the rejection of the Judgment-Independence Principle (and, a fortiori, the Independence Principle) are essential pieces of the non-conciliationist, non-skeptical view on undermining and disagreement that I’m proposing.

6. Justification in the Face of Disagreement

In this chapter, I’ve attempted to both draw out some of the implications of the theory of epistemic undermining that I developed in Chapter 3, as well as add some important new theoretical machinery. I’ve tried to illuminate some of the ways that disagreement with others can undermine our justification and explain why, and when, and to what extent, it does so. The result is a non-conciliationist epistemology of disagreement that attempts to explain how a person can be justified in maintaining his beliefs about controversial topics.

To do so, one must not have any significant reason to think that his evidence is misleading. (This was discussed at length in the first parts of this chapter.) As I said, it seems that there will be a wide range of cases where both sides of the dispute satisfy that requirement.

The next requirement is that one must properly assess the probative force of his direct evidence on the issue in dispute. This requirement is presumably far less frequently satisfied. Given that the evidence can, at most, strongly support one side of the dispute, a great many people are improperly assessing the force of the evidence about controversial
topics. That is enough to render them unjustified. No further undermining from disagreement is required. My view is, thus, not a defense of irrational stubbornness or dogmatism. Vast numbers of people ought to believe differently than they do on controversial topics.

Still, it is possible, and seems extremely plausible to me, that some people are indeed properly assessing their evidence. For these people, the only remaining requirement is that their direct evidence be significantly *thicker* than the dispute-independent evidence that their opponents are right. And I think that there are an important range of cases (on moral, political, religious, social, aesthetic, historical, economic, philosophical, and scientific issues) where the direct evidence *is* thick enough to significantly outweigh the dispute-independent grounds for believing that one’s opponent is right. That is how, for controversial topics that play a central role in our intellectual and moral lives, it is possible to maintain justification in the face of disagreement.
CHAPTER 5

Disagreement and the Epistemology of Memory

1. Introduction

If the two-streams view of undermining that I’ve been advocating in the previous chapters is correct, then this means that, in some cases, one’s direct evidence for P can provide one with justification for a belief that P even when one has significant independent grounds for believing that one has misevaluated the direct evidence that bears on whether P. This allows one to justifiably maintain one’s beliefs in the face of certain higher-level doubts, including doubts that arise because of disagreement with smart opponents who share one’s evidence about the issue in dispute.

Let’s assume that one’s direct evidence can do the kind of justificatory work that I’m saying it can. But let’s also notice that, in many cases, the direct evidence that you based a belief upon is not consciously present in your mind. It may be lodged somewhere in your memory, only accessible via significant concentration and reflection. (For example, if asked, whether candidate Smith has a good platform on foreign policy, you might consciously recall your belief that he does. Yet your direct evidence for that belief - a series of proposals and views about foreign policy that you have heard or read Smith endorses - is not currently before your conscious mind and would take some concentration and effort to recall.) Or, in many cases, your direct evidence for your
beliefs may be lost, forgotten over time. (For example, you may remember that hydrogen is the simplest atom, with one proton and one electron, but have long ago forgotten the direct evidence upon which you initially based that belief.) How does the direct evidence bear on our current beliefs about things in cases where that evidence is not consciously present or is lost altogether?

This is an important question if we are to figure out exactly what the two-streams view of undermining implies about the epistemology of disagreement. For we often disagree with others about issues for which our direct evidence is either not before our minds, or is not easily accessible, or has been largely, or even completely, forgotten.

1.1 A Problem Case

Consider this situation (from Chapter 1):

*Trivia:* you and some friends are playing a trivia game. You and one particular friend, Travis, often play trivia games together. You are both highly skilled at the art of retaining all kinds of information, trivial or not, about the world. Much of the time, you and Travis just find yourselves believing the correct answers with no memory of how you learned these things. They are simply stored in your minds. Most of the time, you and Travis agree in your answers. In the relatively rare cases when you and Travis have diverged on the answers to trivia questions, you have found that he is right about just as much of the time as you. As you play now, the question of what is the smallest continent in the world is asked. You find
yourself thinking, with very high confidence, that the answer is Australia, although, as is common, you don’t know how or where you learned that. But then, to your surprise, you hear Travis announce that the answer is Antarctica. You ask him why he thinks that and he also can’t cite how or where he is getting the answer. Like you, he simply feels highly confident that his answer is correct.

What epistemic effect does learning of Travis’ disagreement have on your justification for believing that Australia in the smallest continent? Intuitively, it seems that you should significantly lower your confidence in your answer in the face of Travis’ disagreement.

But now let’s fill in a few further details of the story:

It turns out that, unbeknownst to you at the current time, the reason that you believe that Australia is the smallest continent is that you one time read a nice, illustrated chart in an encyclopedia that listed the continents and their sizes in comparison. Upon reading that chart, you formed the belief that Australia is the smallest continent and have stored that belief in your memory ever since, although you have since forgotten your experiences of having originally obtained it and have forgotten how you originally obtained it.

Notice that your belief that Australia is the smallest continent was formed based on good evidence that actually supports your belief. It is clear that having this evidence would allow one to maintain a belief that Australia is the smallest content even in the face of disagreement with someone whose beliefs are typically accurate, such a Travis. (Imagine...
having the encyclopedia chart in front of you with Travis still asserting that Antarctica is the smallest continent. Clearly, your direct evidence from the encyclopedia would outweigh Travis’ assertion about this matter.) But it seems that your belief that Australia is the smallest continent is based on that evidence. You formed the belief when looking at the chart in the encyclopedia and have retained it strongly and seamlessly (although not always consciously) since then. When asked about the smallest continent, you simply accessed that retained belief and brought it to consciousness. Since your direct evidence upon which you formed that belief does indeed provide the kind of justification that would withstand any undermining evidence that Travis’ contrary assertion provides, doesn’t my view of epistemic undermining imply that you would be justified in maintaining your belief in the face of his disagreement?

I think that the answer had better be that it doesn’t. Again, it is intuitively clear that, in the Trivia case, you lose a significant portion of justification, presumably to (roughly) the point where you should be neutral about the answer. A question for my view is how we can accommodate this strong intuition.

1.2 A Second Problem Case

While I think that it must come out that the direct evidence from which we formed a belief can’t always provide that belief with justification regardless of whether we currently have that evidence before our minds or, at least, possess it somewhere within our minds, I also think that there is a danger going in the opposite direction. The danger
is to accept a view implying that we only have justification for believing something when
the direct evidence is immediately present in our consciousness.

Consider the following situation:

_Coffee Conversation:_ you meet a friend for coffee and conversation. You sit down
together and the issue of whether P comes up. Surprisingly, your friend, with
whom you largely agree on matters similar to P and whose judgment you rate as
roughly equal to your own, disagrees with you about P. You ask why and the two
of your proceed to have a lengthy debate about whether P, both offering what you
take to be the relevant evidence and arguments bearing on whether P. At the end
you still find yourself disagreeing. The relevant evidence and arguments in fact
strongly support your position and not your friend’s.

Eventually, you drop the subject and go on to talk about many other things
with your friend. After an hour, the arguments and evidence bearing on P that you
were considering with your friend are no longer before your mind. You could,
with some effort, recall them and go through your reasoning again. But you aren’t
doing that currently. Very briefly, however, the conversation turns again to
whether P and your friend briefly notes again his disagreement with you. You
assert your position again and then you both move on to discuss unrelated topics
for a while before leaving.

Consistent with my view on disagreement, I want to say that, when you initially disagree
with your friend in this case, you maintain a justified belief about P because the relevant
evidence and arguments strongly support your position. But I also think that you can maintain a justified belief about P later in the conversation when you no longer have the direct evidence or arguments before your mind. To think that you would lose your justification because of the disagreement at that point would be to adopt a position that is too conciliatory. A great many of our disagreements will presumably be like the latter one in *Coffee Conversation* – disagreements where the direct evidence or arguments are not consciously present, but are, rather, resting in the background of our minds.

### 1.3 The Sought Balance

There are two main considerations that I’d like to account for here. The first is that the direct evidence or arguments can’t do *too much* by justifying our beliefs in the face of peer disagreement even when we no longer retain that direct evidence or those arguments. The second is that the direct evidence or arguments can’t do *too little* by failing to justify our beliefs in the face of peer disagreement just because we don’t have all that evidence or those arguments directly before our conscious minds. The view that I will argue for is a balance between these extremes.

To find this view, we will have to consider some questions about what justifies our beliefs as we hold them over time. These questions are part of the epistemology of memory. In this chapter, I will examine some initially attractive accounts of the epistemology of memory. We will see that two main alternatives do not comport with the balance that I’m striving to achieve. These epistemological accounts of memory are, thus, incompatible with the general view on undermining and disagreement that I’m
promoting. I will argue that, for independent reasons, these two epistemological accounts of memory are deeply problematic. I will then argue in favor of an alternative view that is more plausible and also compatible with my view on disagreement. Although getting clear about these matters has a direct bearing on my position on disagreement, the discussion in this chapter is also offered as contribution to the epistemology of memory, which is a very interesting and important, although (I think) underexplored, area of philosophy.

2. The Epistemology of Memory

Most of the beliefs that we have at any given time are being retained or sustained by memory. The only ones that aren’t are the relatively few beliefs that we are actively forming or those that are sustained by one’s immediate experience or evidence. Unless we are radical skeptics about memory, we think that a great number of those beliefs are epistemically justified. Let’s call any belief that is retained or sustained by memory a memory belief. Our guiding question will be this: in virtue of what are our memory beliefs justified?

Although epistemologists widely recognize the importance of memory in our epistemic lives, diverging accounts about how our memory beliefs are justified have been offered. I think that we can usefully classify the theories that have been offered into three general types. First, there is what we can call the phenomenal state view. This view says

1 An example of the latter type of situation would be the following: you have a clear sensory experience of tree in front of you and form the belief that there is tree there, but you continue to look at the tree and focus your attention on the content of the experience of the tree being there for an extended duration of time. In that case, your experience of a tree being there provides you with direct evidence that, so long as you consciously attend to it, sustains your belief that the tree is there.
that memory confers justification on beliefs by way of a phenomenal memory state. The second type is what we can call the preservationist view. This says that the epistemic role of memory is simply preserving the epistemic status that beliefs receive from non-memory factors. Finally, there is what we can call the current mental state view, which differs from the latter two views in ways that I will discuss below. In what follows, I will explain each type of view and argue that the first two – the phenomenal state view and the preservationist view - are substantially flawed. I will then argue for the current mental state view.

3. The Phenomenal State View

The general idea behind the phenomenal state view is that there is some kind of phenomenal or qualitative memory state that confers justification on our memory beliefs. On this view, memory is analogous to sensory perception. Many epistemologists are attracted to the idea that, if you have a sensory experience as of P, then that by itself provides you with some prima facie justification for believing that P. The phenomenal state view of memory justification says that memory delivers some kind of experiential states similar to sense perception and that, like sense perception, these states provide one with justification. Let’s, then, consider this idea.

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2 Prominent defenders of that view are Pollock (1974) and Pryor (2000).
3.1 Episodic Memory

Memory clearly does deliver sensory or quasi-sensory outputs. Normal people experience *episodic memories*, which are sensory or quasi-sensory experiences with phenomenal content that seems to represent things that we directly experienced in the past. Think of notable events that occurred in your past (e.g., a memorable day at the beach, a camping trip, a graduation, a first job, a first date, a wedding, etc.). For many of these events, we have a set of episodic memories that represent them. These experiences can come in different forms. We often have visual imagery associated with past events, but it seems that we are also quite capable of having episodic memory experiences with audio, tactile, gustatory, kinematic, and perhaps even emotional content as well. When we have these experiences, we seem somehow capable of “seeing”, “hearing”, “feeling”, etc., things that we saw or heard or felt, etc., in the past. There are, of course, differences between the phenomenal aspect of perceptual experience and episodic memories. The qualitative content of perceptual experiences is much clearer and more vivid and intense than the qualitative content of episodic memories. But the latter clearly seem to be at least quasi-perceptual. Let’s now consider whether this quasi-perceptual content of our episodic memories can account for the justification for our memory beliefs.

The answer seems to be that it can’t. Having quasi-perceptual content is neither sufficient nor necessary for conferring justification of the sort required. To see why it isn’t sufficient just consider imagination. Imaginary episodes contain quasi-perceptual content in the same way that episodic memories do. But imagining that P doesn’t confer

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3 Hume noted this distinction in the “force and vivacity” between them. (See An Enquiry Concerning Human Understanding, Section II.)
prima facie justification on P. So, if there is something about memory experience that explains how our memory beliefs are justified, it’s not to be found in the quasi-perceptual content alone.

In fact, having such content is not even necessary for the justification of our memory beliefs. We remember many things for which we have no episodic memories. For example, I remember that American independence was declared in 1776, that the Roman Empire predated the British Empire, that Descartes’ Mediations were published in 1641, that Aristotle was a student at Plato’s Academy, and that Socrates lived in the 5th century BC. I’m justified in believing those things but I certainly don’t have episodic memories of those events.

Maybe I’m focusing on the wrong thing here, and what’s necessary is not me having episodic memories of the events themselves but at least of me learning about or getting evidence for those events (e.g., by being told about them by a teacher or reading about them in a book).

But I don’t seem to have episodic memories of learning or getting evidence for all those events either. I don’t recall where or when I learned many of those propositions even though it’s clear to me that I did learn them in the past at some point and I remember them now.

Still, don’t I at least have some bits of quasi-perceptual experience associated with all those beliefs? For example, when I consider the date of American independence, don’t I at least picture some men with long hair, wearing the fancy clothes that you see in paintings of the founding fathers of this country? Or when I consider the temporal ordering of the Roman and British empires, don’t I at least picture a map roughly
depicting their territories, or something like that? Maybe. I’m not sure. But it doesn’t matter, because, even if I always do have some kind of quasi-perceptual states like those associated with my beliefs, they won’t provide me with justification for believing the propositions that I do. This is because those quasi-perceptual states wouldn’t support the propositions that I believe over propositions that imply their negations. Why would, e.g., a quasi-perceptual experience of some men with long hair, wearing fancy clothes from the colonial era, support the proposition that America declared independence in 1776 over the proposition that they declared independence in, say, 1775? There seems to be nothing in the content of the quasi-perceptual experience described that supports one of those over the other. The same thing holds for the quasi-perceptual experiences that may accompany the other propositions. Presumably the driving idea behind the quasi-perceptual model of memory justification is that there’s something about the representational content of the experiences that confers justification on certain propositions. But if that’s the case, then that content must at least present itself as being about a particular proposition P over ¬P and the quasi-perceptual content that we associate with many of our justified memory beliefs simply doesn’t do that.⁴

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⁴ Am I not just appealing to the same kind of underdetermination or indiscriminability worry that an external world skeptic would? A skeptic of this sort might say, e.g., that one’s sensory experience of there being a tree there doesn’t support that there’s a tree there any more than that one is just being caused to have the sensory experience of there being a tree there even though there really isn’t a tree there. Am I not simply saying the same kind of thing here?

No. There is a clear enough sense of a perceptual or quasi-perceptual content presenting a proposition as being the case. When one has an experience of a tree being there one’s experience is presenting the proposition “there is a tree there” as being the case. One’s perceptual experience is not presenting the proposition “I’m being caused to have the experience that there’s a tree there even though there isn’t really a tree there”. The sensory experience presents the former proposition and not the latter, regardless of what we say about whether the sensory experience is indeterminate or indiscriminate between those two propositions in the way the skeptic tries to say.

I assume that there is some answer to the external world skeptic. But even with that assumption, a sensory experience still has to present a particular proposition P and not also present an obviously
So, episodic memory is neither sufficient nor necessary in the justification of many of our memory beliefs. This means that if memory is indeed a basic source of justification that confers justification on all of our memory beliefs, it isn’t in the quasi-perceptual way that we’ve been considering.

### 3.2 Mnemonic Phenomenology

Perhaps we were on the right track in seeking the justificatory source of memory in a phenomenal experience and the problem was simply focusing on the quasi-perceptual content. Perhaps the phenomenal content that is really important here is not in any way perceptual or quasi-perceptual but is just in a kind of unique mnemonic phenomenology, which may be kind of feeling of familiarity, or pastness, or something like that.\(^5\) When we consider certain propositions, perhaps we experience this unique mnemonic phenomenology and this is what provides us with justification for the things that we claim to remember.

Pollock and Cruz (1999) defend a version of this view. They claim that there is “a psychological state of “seeming to remember” that is analogous to being [perceptually] appeared to in some way or other” (p. 48). They defend this claim with the following incompatible proposition Q if that sensory experience is going to provide justification for believing that P. I’m claiming that, for a great many of the things that we remember, our episodic memories don’t even do that.

\(^5\) Plantinga’s 1993, Chapter 3 has an insightful discussion about the phenomenology of memory.
example:

Imagine that you are trying to quote the first line of a poem. It is on the tip of your tongue, but you cannot quite get it. Finally, a friend tires of watching you squirm and tells you the line. This can have two possible effects. It may jog your memory so that the line comes flooding back and you now remember it clearly. Alternatively, it may fail to jog your memory. You believe your friend when he tells you how the line goes, but you still do not remember it. In either case, you come to have the same occurrent belief about the line, but there is a clear introspectible difference between the cases. The difference is precisely that in the first case you come to be in the state of seeming to remember that the line goes that way, whereas in the second case you have no such recollection. Cases like this show that there is such a psychological state as that of seeming to remember.

(p. 48)

Pollock and Cruz claim that this psychological state of “seeming to remember” that P provides one with *prima facie* justification for believing that P.  

Since Pollock and Cruz offer, by far, the most sustained and developed defense of this view, I’ll focus on their position first. Pollock and Cruz are concerned with how we make justified inferences, or what they call “reasoning”. They acknowledge that, at any given moment, most of our memory beliefs are not conscious, but are dormant or stored. Yet inference is an occurrent process – i.e., a conscious process. So, “memory can only

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6 Others who endorse or are, at least, sympathetic to this view include Fumerton (1995), Feldman and Conee (2001), and Schroer (2008).
contribute premises to an argument insofar as we occurrently remember those premises” (p. 46). Given that the chains of reasoning that people construct are often complex enough that they are unable to hold all of the premises and sub-pretences occurrently in mind, we might wonder how people could ever make even moderately complex justified inferences on Pollock and Cruz’s view. Their answer is that, when it comes to justification, the entire chain of reasoning is not directly relevant to what a person is justified in believing. All that matters are the premises that a person is occurrently holding in mind and whether they support the conclusion that he is inferring. So long as the person “seems to remember” the premises that he holds in mind, and those premises indeed support the conclusion, the person can justifiably infer the conclusion. (See pp. 49-50.)

But why hold this view? Pollock and Cruz seem to think that what happened in a person’s epistemic past and has been forgotten is not relevant to his current justification.

For example, consider a person who has all of his memories altered artificially without his knowing it. Is he then unjustified in everything that he believes? Surely not. (p. 47)

Let’s consider a more detailed scenario to pump the intuition here. First, imagine that you are trying to figure out how much money you spent for utilities and groceries over the last month. You find your utility bills and you see that you spent $17 on electric, $22 on gas, $59 on phone, and $37 on internet. You add those numbers together in your head carefully and you get a sum of $135. You repeat that number to yourself a few times so
that it sinks in to your memory that you utilities were $135. Then you go digging around in the next room to find your grocery receipts. You locate them, add them up, and get a sum of $347. You then recall from memory that you utilities were $135, add that to $347, and conclude that you spent $482 on your utilities and groceries.

You are justified in believing that conclusion. But when you inferred the conclusion from your summing $135 and $347, did you still recall the amounts of all the separate utility bills? It is quite possible that you didn’t. (Imagine that you got quite distracted digging around looking for your grocery receipts and the only thing that you recalled clearly after doing that was that the total utility expense was $135.)

Now imagine a second version of this scenario that is exactly like the first except for the following: your utility bills are different and actually add up to $147. You correctly add them together and get that number. But then, as you are digging around in your closet looking for your grocery receipts, a devious yet ingenious neuroscientist uses his brain-wave manipulating device and changes your belief about the sum of your utility bills to the belief that it is $135. This change is completely undetectable to you. Things then proceed just as they did in the first case: you find your grocery receipts, add them to what you believe to be your utility expenses, and conclude that you spent $428 on your utilities and groceries. And at the time that you did this final addition, you could no longer recall the amount of each of your individual utility bills.

The question is whether your belief about what you spent in total is justified in the second version of the scenario. Pollock and Cruz would clearly want to say that your belief is justified and I think that there is indeed strong intuitive pressure to think that you are. But if that’s right, then the forgotten links in your chain of reasoning – here, your
beliefs about the individual totals of each utility bill – do not play a justificatory role. If they did, then you would clearly not be justified in your belief about your total expenses in the second version of the scenario. But you are. So, what justifies you in believing the conclusion is, instead, what is occurrently available to you at the time that you draw the conclusion. In this case, it is the phenomenal state of “seeming to remember” that your utility expenses are $135 (combined with other things that you occurrently believe). The forgotten stuff drops out of the picture epistemically.

There is more to say about the intuitions driving Pollock and Cruz’s position on cases like this and I will come back to this issue shortly, and, later, at length. But for now, let’s grant them that these intuitions are decisive and briefly consider what their view implies for the position on disagreement that I’m defending in this dissertation.

3.3 Implications for Disagreement

Recall from earlier the following case:

Coffee Conversation: you meet a friend for coffee and conversation. You sit down together and the issue of whether P comes up. Surprisingly, your friend, with whom you largely agree on matters similar to P and whose judgment you rate as roughly equal to your own, disagrees with you about P. You ask why and the two of your proceed to have a lengthy debate about whether P, both offering what you take to be the relevant evidence and arguments bearing on whether P. At the end
you still find yourself disagreeing. The relevant evidence and arguments in fact strongly support your position and not your friend’s.

Eventually, you drop the subject and go on to talk about many other things with your friend. After an hour, the arguments and evidence bearing on $P$ that you were considering with your friend are no longer before your mind. You could, with some effort, recall them and go through your reasoning again. But you aren’t doing that currently. Very briefly, however, the conversation turns again to whether $P$ and your friend briefly notes again his disagreement with you. You assert you position again and then you both move on to discuss unrelated topics for a while before leaving.

Many of our disagreements are like this. We don’t need to be engaged in an active, explicit, dispute. Whenever we hear someone assert, or learn about that someone believes something contrary to what we believe, that counts as a disagreement. In many such cases, we won’t have all the direct arguments or evidence that bear on the disputed issue conscious in our minds. Yet, I claim (and defend in Chapter 4) that, in many cases, we will still be able to justifiably maintain a belief in the disputed issue. To think otherwise would be to accept an implausibly conciliatory and skeptical position on the epistemic effects of disagreement.

Pollock and Cruz’s phenomenal state view leads us straight into that skeptical position, however. To see this, let’s think about what they would say about Coffee Conversation. At the point late in the conversation with your friend, when you no longer have the direct evidence and arguments that bear on your belief that $P$ conscious in your
mind, Pollock and Cruz would have to say that the only thing that justifies your belief that \( P \) is that you have a phenomenal experience of seeming to remember that \( P \). But if that was all that your justification for believing that \( P \) consisted in, your friend’s disagreement, even just in passing, would undermine virtually any positive justification that you had for \( P \). Here’s why: you take your friend to be a generally smart and reliable thinker about matters such as \( P \). Independently of the issue of whether \( P \), you have fairly strong grounds for thinking that he would be just as likely as you are to be right about an issue such as \( P \) if the two of you were to disagree about whether \( P \). (He is an “epistemic peer” as I defined that term in Chapter 2). So, when he asserts that \( \neg P \) late in your conversation with him, this gives you substantial dispute-independent evidence that you have made an error in your assessment of the evidence or arguments for \( P \). In Chapter 4, I argued that if the direct evidence and arguments support \( P \), they can provide you with the grounds for justifiably maintaining your opinion that \( P \) in the face of disagreement with an epistemic peer. But on the current view of memory justification that we are considering, the direct evidence and arguments are not epistemically relevant so long as they are not conscious in your mind. So, there is no basis for you to justifiably maintain your opinion that \( P \) when you learn of your friend’s continued disagreement late in the conversation.

This same conclusion would follow any time that you disagreed with an epistemic peer about any issue and didn’t have the direct evidence and arguments present before your conscious mind. Notice that this might not only imply skepticism for passing

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7 You could actually have more than that. You might have some cursory bit of the direct evidence or argument for \( P \) before your mind, perhaps one of the sub-conclusions that support \( P \). And you might also occurrently believe that the direct evidence and arguments, which you don’t currently have in mind, really do support \( P \). The important thing, however, is just that, occurrent in your mind, you don’t have anywhere near the complete case upon which your belief that \( P \) was based.
disagreements like the one I described in *Coffee Conversation*, but it might even imply a skeptical conclusion for disagreement where the direct evidence and arguments are being carefully and comprehensively considered; if those arguments are complex enough, which they may well be for most controversial topics that we are interested in (e.g., in politics, religion, philosophy, etc.), then we will be psychologically incapable of holding all the relevant direct evidence or arguments in our conscious minds at once. If that is the case, then Pollock and Cruz’s view implies not only the skeptical conclusion about cases like *Coffee Conversation*, but implies an almost completely conciliatory position on disagreement. It may be that the only non-conciliatory position that is consistent with their view on memory justification is that we can maintain our justification in the face of peer disagreement about very simple matters, limited to direct intuitions or sensory perceptions or things that follow very immediately from such things. But such a position on disagreement would be at least as conciliatory and skeptical as the positions of the conciliationists who are my main opponents in this dissertation.⁸

I cannot, then, consistently maintain my non-conciliatory position on disagreement and accept Pollock and Cruz’s position on memory justification. But I don’t want to argue against their view on the grounds that it is inconsistent with my position on disagreement. That would be dialectically inappropriate in the present context. I’m attempting to argue for a certain position on disagreement in this dissertation. It won’t do for me to use that very conclusion to rebut potential problems for that conclusion. What I’ll do, instead, is show that, for reasons independent of the my conclusion about

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⁸ Even conciliationists such as Christensen want to say that we can maintain justified belief in the face of disagreement about very simple and obvious issues. See his 2011, section 3 for a proposal about how doing this is consistent with the conciliationist position.
disagreement, that there is something wrong with Pollock and Cruz’s phenomenal state view as well as the phenomenal state view in general.

### 3.4 Problems with the Phenomenological State View

There are serious problems Pollock and Cruz’s version of the phenomenal state view as well as any version of the phenomenal state view of memory justification. Starting with Pollock and Cruz’s view, let’s grant them their claim that all inference (or what they call “reasoning”) must be occurrent. Pollock and Cruz go beyond this and claim that what is in one’s occurrent “working memory” fully determines what one is justified in believing. (See pp. 49-53.) But this seems wrong. While it does seem very plausible to think that an occurrent mnemonic seeming that P can provide one with *prima facie* justification for believing P, that does not mean that one’s non-occurrence mental states are epistemically irrelevant to whether one has *ultima facie* justification for believing P. In the case I described in section 3.2, where you are in the process of figuring out how much you spent on utilities and groceries in a month, and your beliefs are altered by a neuroscientist, the non-occurrence beliefs that no longer seemed relevant to your justification – viz., the beliefs about the amount of each individual utility bill – were not only non-occurrence, but were *completely forgotten*; those beliefs weren’t mentally accessible or retrievable, or currently in your mind in any way. In cases like that, I think that there is significant intuitive force to the idea that such beliefs are epistemically irrelevant. But being completely forgotten is not the same thing as being non-occurrence. Cases like the one I

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9 I don’t think that that’s actually plausible, and I’ll discuss that shortly. But for right now, it’s not important.
described do nothing to show that beliefs that are non-occurrence yet retrievable or, at least, currently within the mind, are irrelevant to one’s current justification. And *contra* Pollock and Cruz’s position, it seems as though such beliefs *are* relevant to one’s current justification. Consider this situation:

*Job Offer:* You are in the late stages of negotiating an employment offer that you very much desire. You have been told that you are going to get the job but there is just some formal paperwork that has been completed on the company’s end. You justifiably expect to get the job. But then you talk to a good friend of yours who works at the company and he tells you several reasons why you should actually expect that they are going to give the job to someone else. These reasons are very strong, as your friend is well-connected within the company and involved in the hiring process. What he tells you carries a lot of weight and it considerably outweighs any other reasons that you had for thinking that you’d get the job. It is obvious that when your friend is telling you about the situation, you would not be justified in continuing to believe that you are going to get the job. Yet, the next day, when you are not occurrently remembering the things that your friend told you although the information that he gave you is stored in your mind, you find yourself again remembering that you were told that you’d get the job and find yourself believing that you are going to get the job. Your occurrent evidence indeed supports your belief that you are going to get the job.
Here, it seems clear enough here that you would not be justified in believing that you are going to get the job. Just because you aren’t occurrently thinking about the things that your friend told you, they are still within your mind and they are still doing epistemic work (specifically, as defeaters of your justification for believing that you are going to get the job). So, in general, I don’t think it’s true that only occurrent beliefs are relevant to our current justification. Pollock and Cruz’s view, thus, seems implausible.

Since Pollock and Cruz’s view is only one member of the general class of phenomenal state views, we must consider whether some other version is more tenable. I will argue here that any such view is, at best, woefully inadequate as an epistemological theory of memory. The problem is that having a phenomenal memory experience of any kind is not necessary for the epistemic justification of, at least, a huge number of important memory beliefs.

There are two worries of this sort. The first concerns our occurrent beliefs. Is it really true that our occurrent memory beliefs are always accompanied by a mnemonic experience? Even if Pollock and Cruz’s example of recollecting the line of poetry illustrates that there are mnemonic experiences, it doesn’t at all show that we always have such experiences when we occurrently recall something. It’s hard to tell whether we do. Thomas Senor (1993) claims that we actually don’t always have such experiences and he offers the following example as evidence:

You and I are working in our shared office. I am trying to plan our next committee meeting, so I ask you, ‘Do you teach at noon on Wednesdays?’.

Quickly, you take your nose out of your book just long enough to respond, ‘No, I
don’t’. In such a case you have a memory belief with the content ‘I don’t teach on
Wednesdays’. But your attention has not been focused entirely on my question.
Instead, you have paid me just enough attention to answer me properly, and spent
the rest of your attentional capacity puzzling over BonJour’s notion of the
‘doxastic presumption’. Because of the limited attention that you give my
question, you attend to your memory belief, but there is a significant sense in
which you aren’t really aware of it. (p. 459)

I think that this example is suggestive but not conclusive. Introspection is tricky business.
Might the person in Senor’s example not have at least a very quick, fleeting, yet still
epistemically essential, mnemonic experience? If not, would he really be justified in
believing that he doesn’t have class on Wednesdays? It’s not clear and I don’t think that
we should try to build epistemological theory on our assessment of cases as unclear as
this. Still, I think that Senor gives us at least reason to doubt that justified occurrent
memory beliefs are always accompanied by mnemonic experiences.

Let’s suppose, however, that occurrent memory beliefs always are so
accompanied, and let’s even imagine that we have really good grounds for believing that.
The mnemonic phenomenology account of memory justification would still be deeply
problematic. The reason for this is that it can’t account for the vast number of justified
non-conscious beliefs that we hold.10 Relatively few of our beliefs are occurrent at any
given time. Instead, they are virtually all non-consciously held, ready to be employed in
inferences, or brought up into consciousness by some kind of external or internal

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10 I use ‘non-conscious’ here to avoid the more theoretically loaded and potentially distracting terms
‘subconscious’ and ‘unconscious’.
triggering, or by a process of active reflection. For example, you presumably have beliefs about what state and town you were born in, what year that was, the name of your elementary school, the number of planets in our solar system, the name of the process by which plants get energy from the Sun, and so on and so forth. Yet you didn’t just form beliefs about those topics in response to reading my list. You already had beliefs about those things and you were holding them non-consciously the whole time that you’ve been reading this chapter. Your mind is currently filled with beliefs held in this non-conscious fashion. And a great number of them are justified.

The mnemonic phenomenology account of memory justification simply fails to account for the justification of all of these beliefs. This is because those beliefs are not accompanied by any mnemonic phenomenal states. As a consequence, the mnemonic phenomenology view fails to explain how the vast majority of the things that we remember are justified.\textsuperscript{11} It is thus, at best, an extremely limited piece in the broader explanation of how our memory beliefs are justified. At best, it will explain only how our occurrent memory beliefs are justified. That it can do even that depends upon the dubious assumption that all justified occurrent memory beliefs are accompanied by the appropriate mnemonic experience. So, not only does the mnemonic phenomenology account stand on shaky ground regarding our occurrent memory beliefs, but it is also woefully inadequate as an answer to the question of what justifies our memory beliefs in general.

Let me now address an objection to what I’ve just said that will bring out an important point in support of my verdict on the mnemonic phenomenology account. The objection I have in mind is this: one can talk about non-conscious beliefs, but it is not

\textsuperscript{11} This problem has been noted by Senor (1993) and Goldman (1999).
obvious that such things are really beliefs proper. Perhaps they are simply dispositions to believe and genuine beliefs must be conscious. If that’s right, then all this talk about how the mnemonic phenomenology view can’t account for the justification of non-conscious beliefs misses the target. All that matters is that mnemonic experience justifies occurred beliefs. At any given time we do have mostly dispositions to believe rather than genuine, occurred beliefs. But when these dispositions are triggered and we form the corresponding occurred beliefs, they are accompanied by mnemonic experiences that provide justification. So, there’s no real problem here.\footnote{Feldman and Conee (2001) defend a similar line of reasoning. Goldman (1999) raises some problems for that view. But the problem that I’m going to raise next is, I think, worse and more conclusive than the ones that Goldman presents.}

The problem with this objection is that it fails to recognize the epistemic significance of our non-conscious beliefs. Those beliefs aren’t merely static mental states, dormant until they trigger the corresponding occurred beliefs. They are, instead, often active in inferences albeit still non-conscious. For example, imagine my friend calls me and tells me that he is on his way over now. I then quickly and without any noticeable conscious deliberation form the justified belief that he will be arriving here in about ten minutes. This is an inference and we make inferences of this sort all the time. But think about the large number of beliefs about the world that this kind of inference is based upon (e.g., that my friend lives about ten minutes away by car, that he owns a car, that he is going to drive his car to get to my house, etc.). I may well form further beliefs, again, very automatically and virtually non-consciously, about what we will do when my friend gets here (e.g., I may come to believe that we will go and talk at a café). These beliefs, again, will be based on a set, perhaps very large, of stored memory beliefs (e.g., that it is a certain time day right now, that cafés are typically open at this time of day, that there
are some cafés in Wayland Square, that Wayland Square is close by, that my friend typically likes to go do things at Wayland Square, that my friend typically enjoys going to cafés, etc.). None of these propositions were discussed in the conversation with my friend, and I don’t consciously bring any of them to mind when I make these inferences. Rather, my beliefs about such propositions do their justificatory work in the inferences non-consciously. But, for them to do that, they have to be justified. So, our non-conscious beliefs (or whatever we’d like to call them if we want to reserve the word ‘belief’ exclusively for \textit{occurrent} representational states) must be epistemically justified. The alternative is a radical and implausible skepticism. So, since our non-conscious beliefs are not justified via mnemonic phenomenal states, they must be justified in some other way. And because our non-conscious beliefs constitute the vast majority of our

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13 I am basing this argument on the eminently plausible idea that if one is justified in believing the conclusion of an inference (and has no other grounds for his belief in the conclusion other than that inference), he must be justified in believing the premises from which the conclusion is inferred when he makes the inference. Still, since we are currently talking about \textit{non-conscious} inferences, one might wonder whether the same principle applies. One might think that a non-conscious premise in an inference could be unjustified yet still support a justified conclusion. But I don’t think that this last thought can explain our intuitive judgments about such inferences. Consider:

\textit{Bias}: Betty grew up playing with the children of a family from Canada that lived on her street. The Canadian children were relatively low achievers in school and didn’t work very hard on academic tasks. Betty, through a process of hasty generalization, came to believe that Canadians are typically not very intelligent and do not perform well academically. Later in life, at college, Betty has had considerable experience with other Canadian students and, from her interactions with some of them, as well as hearing about other people’s experiences, she now has significant evidence that it is not true that Canadians are typically unintelligent and poor academic performers. Yet, she persists in holding that belief, at least non-consciously.

One day, after class, she is studying on a bench in the green when a student she’s never met sits down next to her. Betty is struggling with her homework and was just thinking about asking someone for help. She starts a conversation with the other student and, in the course of talking, discovers that he is Canadian. Upon learning that, Betty very naturally and automatically forms the belief that he is rather unintelligent and a poor academic performer, and she decides that he is not someone that she should ask for help with her homework. (The student has exhibited no outward indications of being unintelligent or a poor academic performer.)

Is Betty’s belief about the intelligence and academic performance of the student justified? It seems that it isn’t. Her belief is based upon her non-occurrent belief that Canadians are unintelligent and poor academic performers. But that belief isn’t justified. This seems to render her \textit{occurrent} belief that this student is unintelligent and a poor academic performer unjustified.

14 Senor (1993) makes a similar point.
justified beliefs at any given time, the mnemonic phenomenology account is an abject failure as an account of the justification of our memory beliefs.

4. Preservationism

A first pass at characterizing preservationism is that it says that a memory belief is justified iff it was justified when it was initially formed. On this view, the epistemic function of memory is simply to preserve the justification, or lack thereof, that one’s belief initially had. This view avoids the problems that we discussed above for the phenomenal state view. On the preservationist account, you don’t require occurrent phenomenal experiences to justify your memory beliefs, either occurrent or non-conscious. In an important sense, then, the preservationist view makes it easier for memory beliefs to be justified. It thus avoids the skeptical problems that the phenomenal state view faces and is, also, a vastly more complete theory of memory justification. At best, the phenomenal state view can account for our occurrent memory beliefs. The preservationist view, in comparison, would account for all memory beliefs.¹⁵ Let’s now consider its implications for disagreement and, then, whether it is a plausible epistemology of memory.

4.1 Implications for Disagreement

Recall the following case:

*Trivia*: you and some friends are playing a trivia game. You and one particular friend, Travis, often play trivia games together. You are both highly skilled at the art of retaining all kinds of information, trivial or not, about the world. Much of the time, you and Travis just find yourselves believing the correct answers with no memory of how you learned these things. They are simply stored in your minds. Most of the time, you and Travis agree in your answers. In the relatively rare cases when you and Travis have diverged on the answers to trivia questions, you have found that he is right about just as much of the time as you. As you play now, the question of what is the smallest continent in the world is asked. You find yourself thinking to yourself, with very high confidence, that the answer is Australia, although, as is common, you don’t know how or where you learned that. But then, to your surprise, you hear Travis announce that the answer is Antarctica. You ask him why he thinks that and he also can’t cite how or where he is getting the answer. Like you, it just seems to him that his answer is correct.

It turns that, unbeknownst to you at the current time, the reason that you believe that Australia is the smallest continent is that you one time read a nice, illustrated chart in an encyclopedia that listed the continents and their sizes in comparison. Upon reading that chart, you formed the belief that Australia is the smallest continent and have stored that belief in your memory ever since,
although you have since forgotten your experiences of having originally obtained it and have forgotten how you originally obtained it.

I think it’s intuitively clear that, despite the fact that you formed your belief based on good evidence, you are no longer justified in believing that Australia is the smallest continent at the point when you learn about Travis’ disagreement. But can the preservationist view account for this? Presumably you got an extremely high degree of justification for believing that Australia is the smallest continent when you read that in the encyclopedia. If that justification has been preserved, why would Travis’ disagreement with you undermine it to the point where you are no longer justified in holding your belief? It’s at least unclear whether or how preservationism will capture our intuitions about the extent of undermining that occurs in this case.

This potential problem generalizes to any peer disagreement where you once had solid direct evidence for your position yet you no longer have that evidence stored in your memory. Since I think that it is intuitive that your justification is significantly undermined in those cases (which is consistent with the view of disagreement that I defended in Chapter 4), it is unclear whether preservationism is compatible with my position on disagreement. But, again, I don’t want to reject a view on the justification of memory beliefs just because it conflicts with the position on disagreement that I’m trying to argue for in this dissertation. Instead, I’ll argue that preservationism has some more general problems that render it untenable.
4.2 The General Problem with Undermining for Preservationism

Consider the following case of undermining that doesn’t involve disagreement:

*Hot Stove:* In an effort to save some money, you recently started making coffee at home instead of paying for it each day on your way to work. For the past week, each morning, you have been boiling some water and then making coffee with a filtering device. However, from a combination of the novelty of the new procedure and the haste with which you get ready for work in the morning, several times you left the stove on after using some of the boiling water to make your coffee. You did this twice and actually left for work without realizing it. Both times, you discovered your error via an angry phone call at work (the second one considerably *more* angry) from your wife, who, fortunately, usually leaves for work after you, and who discovered the stove was on before it caused any serious trouble.

For the last two days, however, your wife has left the apartment for work before you, and you have been trying to be vigilant about the stove by making a point to check the stove before you walk out the door. You did this yesterday and the found that the stove was off. And today, before you walk out the door, you, again, take a look at the stove, see clearly that all the burners are off, and form the belief that the stove is off before you rush out to work. As your busy day unfolds, the sensory experience from which you formed your belief that the stove is off
fades in your mind, yet you retain the belief that you turned the stove off this morning.

When you come home, however, there is a fire truck in front of your apartment building. As you walk towards the building, you come upon a group of firemen and you ask what happened. They tell you that the stove was left on in one of the units and it started a fire. Instantly, you are overwhelmed with a horrible feeling a dread. “Did I turn off the stove?” you ask yourself. Up until that point, you believed that you had, and you try to recall whether you checked the stove before you left. You find that all you have is a faint image of looking at the stove and seeing that the burners are off and you can’t introspectively discern whether that image was from today or from yesterday. Given your habit of leaving the stove on, the ambiguity of the memory image, and what you know from the firefighters, you no longer believe that you turned the stove off this morning.

Are you epistemically justified in modifying your belief in the way described at the end of that scenario? The intuitive answer is “yes”. It is intuitively clear that your belief that you turned the stove off has been undermined. And this case has nothing to do with disagreement. Yet, it is still questionable whether preservationism will get the right result in this case. How will it explain how your very good sensory-based justification is undermined by your interaction with the firemen? If preservationism can’t satisfactorily answer this question it fails to do something that any plausible theory of epistemic
justification requires: an ability to account for epistemic undermining. Let’s now consider whether preservationism has the ability or not.

4.3 Two Interpretations of Preservationism

The idea of one’s justification being preserved is somewhat ambiguous. There are two importantly different interpretations of what this comes to. I will examine both and argue that neither can plausibly account for epistemic undermining and that both face a serious further problem as well.

4.4 The Strong Interpretation

On the strong interpretation of preservationism, what is preserved over time is both the initial quantity of justification as well as the initial type of justification (e.g., sense perception). This means, e.g., that if, in the morning, you saw with your own eyes that your stove was turned off and, later in the day, still believe that despite no longer retaining the direct perceptual evidence in your memory, your current justification for your belief about your stove is exactly the same as what you would get if you were currently seeing the stove right in front of you. Every epistemic aspect of your original source of justification is preserved.

This view is attractive in that it is a straightforward and principled interpretation of the preservationist idea. It suffers, however, from exactly the problem that I raised earlier: it doesn’t properly account for epistemic undermining. In the *Hot Stove* case, if
your justification for believing that your stove is off just is your earlier visual experience of seeing the stove turned off, then surely what you learn from the firemen doesn’t undermine your justification for believing that you turned the stove off. (Imagine looking right at your stove as the firemen are telling you that someone in the building left his stove on. Obviously you would remain justified in believing that you turned your stove off.) So, the strong version of preservationism yields a counterintuitive answer about what you have justification for believing in the *Hot Stove* case. And it will imply the same kind of counterintuitive answer for a large set of undermining situations. ¹⁶ This inability to account for the phenomenon of epistemic undermining renders the strong version of conciliationism untenable.

¹⁶ These will include cases of an opposite sort: cases where, intuitively, it seems that your justification isn’t significantly undermined yet the strong version of preservationism implies that it is. For example:

*History Scholar:* Imagine that you are serious history scholar who has done research on the Prohibition era. In that research, you looked a hundreds of books and articles and you now have a relatively large stock of beliefs about several aspects of that time period in America. You forget, however, a large number of the names of the books and articles that you read, who their authors were, and from which sources you picked up which beliefs about the Prohibition era.

One of the beliefs that you picked up along the way is that the first organized temperance group was composed of about 200 Connecticut farmers and founded in 1789. You read that in the article “The Medical Community and the Temperance Movement”, by Tom Smith. You found it in a reputable journal. You no longer remember reading that article, the title, or the name of the author, yet you retain the belief about the first organized temperance association.

Today, you read an article in *Inside Higher Education* about an investigation that exposed the historian Tom Smith as guilty of academic fraud. The piece names several articles, including “The Medical Community and the Temperance Movement”, that were found to include numerous unsupported and false claims. You find the story fascinating and even pause to wonder whether you have read any of Smith’s work. But you don’t recall doing so. Although you are not consciously thinking about it at the time, you continue to hold your belief about the first organized temperance group. And you continue to hold that belief in the future.

It seems intuitive that your belief about the first organized temperance group was, and remains, justified. But that isn’t true on the strong version of preservationism. On that view, your current justification just is your initial evidence upon which you formed the belief. In the *History Scholar* situation you have received undermining evidence for that initial justification. Think about like this: if you had, at the time that you were forming the belief about the first organized temperance group, learned that Tom Smith had been found guilty of making fraudulent claims, including claims made in the very article that you were reading, you would certainly not be justified in forming a belief about the first organized temperance group based on what it said in Smith’s article. That’s because the information from *Inside Higher Education* article is an evidence underminer for the justification Smith’s article would have given you otherwise. Now, in the case as described in *History Scholar*, you no longer remember that you formed your belief about the first
4.5 The Weak Interpretation

On the alternative, weak interpretation of preservationism, what is preserved over time is only a quantity of justification. So, e.g., in the *Hot Stove* situation, what is preserved is not the initial sensory justification that you had when you formed your belief that the stove is off, but just the bare quantity of justification that your initial sensory evidence provided you with.

We might think that the weak version of preservationism, unlike the strong version, can account for epistemic undermining. For example, in the *Hot Stove* case, when the firemen tell you that someone in the building left his stove on, your justification for believing that you turned your stove off is not literally the visual experience of seeing your stove off, as it is on the strong version of preservationism. Instead, it’s just the bare quantity of justification that your initial visual experience conferred on your belief that the stove is off. And the preservationist could say that, in this case, when the firemen tell you what happened, that bare quantity of justification that you have is undermined to the point where you no longer have justification for a positive degree of belief that you turned your stove off. In this way, the weak preservationist account could attempt to accommodate cases of epistemic undermining.

But while the preservationist could attempt this accommodation, it doesn’t seem as though it would be well motivated. In the *Hot Stove* case, it seems plausible that the temperance group based on Smith’s article; but that doesn’t matter. According to the strong preservationist view, your justification consists in the evidence that Smith’s article gave you at the time when you initially formed your belief. But that evidence does not support the belief about the first temperance group when combined with what you learn from the *Inside Higher Education* article. So, you no longer have justification for holding your belief about the first temperance group after you read the *Inside Higher Education* article. But this is counterintuitive.
quantity of justification provided by one’s initial sensory evidence is so high that the later undermining evidence would still leave some significant degree of justification for your belief that the stove is off. (Your initial justification for believing that the stove is off is a clear visual perception of the stove being off. In contrast, your later justification for believing that you left the stove on, coming from an induction based on the firemen telling you that someone in your building left the stove on, seems relatively weak.) But, intuitively, it seems that you have no justification for a positive belief that stove is off at the end of that scenario. This will be a general problem for the weak preservationist view in cases where we have an extremely high initial degree of justification for something, but then, after forgetting our initial evidence, later receive a moderate degree of undermining evidence. In many such cases, the intuitive verdict will be that our justification for a positive degree of belief is completely undermined. But since the preserved quantity of justification is so high, the weak preservationist view won’t be able to explain why our belief is no longer justified.

I suppose that it is open to the preservationist to stipulate that our initial, extremely high degree of justification is undermined to the point of neutrality in cases such as that. Alternatively, the preservationist might try to say that despite getting extremely high justification from our initial evidence, what is preserved is only some moderate amount. In these ways, the preservationist may be able to offer a kind of response to the problem of undermining. But these would be considerably ad hoc moves on the part of the preservationist. They would seem to be designed to dodge the objection rather than motivated by independent and plausible theoretical or intuitive reasons.
Because of this, I don’t find these alternative understandings of preservationism to be compelling.

Preservationism, thus, appears to fail to account for epistemic undermining. This problem doesn’t turn on any *sui generis* aspects of disagreement. It’s a general and (I think) fairly devastating problem for preservationism.

### 4.6 A Further Problem

If that wasn’t enough, preservationism faces another serious problem worth noting. Consider Bertrand Russell’s skeptical hypothesis that the entire world, including you, with your “memories” intact, came into existence five minutes ago. Intuitively, your stored memory beliefs would be justified just as they are now. But preservationism implies the opposite. Preservationism says that a memory belief is justified simply by the preservation of the *non-memorial* justification that one initially had. But, *ex hypothesi*, in the five-minute-world scenario, you don’t have such initial justification. There was no justification to preserve in the first place. So, your memory beliefs are not justified. The problem for preservationism is that this implication is quite counterintuitive.\(^{17}\)

One preservationist, Michael Huemer (1999), acknowledges this problem and offers a modified version of preservationism designed to deal this issue (as well as others). Huemer’s “dualistic theory” of memory justification says that one’s earlier justification is preserved but that mnemonic experiences can themselves count as initial justification for a belief. In this way, there are two ways that a memory belief can be justified.

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\(^{17}\) The same kind of counterintuitive implication of preservationism applies to versions of Putnam’s (1981) brain-in-a-vat thought experiment and Davidson’s (1987) Swampman thought experiment.
justified (hence, the ‘dualistic’ label). Huemer claims that his view can explain the justification of a person in the five-minute-world scenario. The person acquires new beliefs by having mnemonic experiences. That is (oddly) his initial justification for those beliefs (although, of course, the person actually thinks that he initially acquired those beliefs in other ways). So, e.g., if you were in the five-minute-world scenario right now and considered the question of where you were born, you would seem to remember the answer. On Huemer’s view, your seeming to remember would actually provide you with initial justification for that belief. In this way, you would be able to be justified in believing all the things we intuitively think that you would be justified in believing.

Or would it? What about the vast body of non-conscious beliefs that you would hold in the five-minute-world scenario? It seems that they would still not be justified on Huemer’s view; for, on that view, a phenomenal memory experience or seeming to remember is required to acquire initial justification for the “implanted” memory beliefs. Since you wouldn’t have such phenomenal experiences for all the non-conscious beliefs, they would all remain unjustified on Huemer’s view. Huemer’s view can, at best, accommodate the idea that your memory beliefs in the five-minute-world scenario are justified if you bring them to conscious attention.

The problem is that this isn’t an adequate solution to the problem. If your non-conscious beliefs in the five-minute-world scenario aren’t justified as well, very counterintuitive results follow. The problem is one of those that we earlier saw to afflict the phenomenal state view – viz., that we require justified non-conscious beliefs to explain the justification of many of our simple and automatic inferences. Consider, again, the example of the inferences that I might make about my friend’s arrival and what we
will do together (which I described at the end of section 3.4). But now imagine that the entire world, including all the people, with our “memories” intact, actually came into existence a minute before my “friend” called me. It seems clear that I would still be justified in inferring that my friend would arrive in about ten minutes, and that we will go and talk at a café. But, as I explained earlier, those inferences would be based on numerous non-conscious beliefs, all of which would have to be justified if the conclusion of the inferences were to be justified. If Huemer’s view were correct, then those non-conscious beliefs would not be justified and, hence, I wouldn’t be justified in believing that my friend would be arriving in about ten minutes or that we would go talk at a café. But that seems wrong. So, Huemer’s view can’t adequately deal with five-minute-world scenario (or other cases with the same relevant features).

I conclude, then, based on all the problems that we’ve considered, that preservationism is irreparably problematic and we should seek a different theory to explain the justification of our memory beliefs.

5. The Current Mental State View

The final type of view that we’ll consider says that the justificatory status of our memory beliefs depends upon only our current mental states (and perhaps what is *a priori* available as well). I’m using ‘current’ strictly in a temporal sense here; current mental states needn’t be *conscious*. The current mental state view just says that all of our current mental states, conscious or non-conscious, are what determine our justification.
How do our current mental states justify our memory beliefs, including the vast number of non-conscious memory beliefs? Well, we actually considered one possible way earlier when we discussed the *phenomenal* state view. Since that view appeals only to current conscious experiences to explain the justification of our memory beliefs, it is a version of the current mental state view. I argued, however, that the phenomenal state view is an untenable theory of memory justification. Fortunately, though, there are several other possible ways for our current mental states to justify our memory beliefs. I will roughly sketch three of them and remain non-committal about which is best.

### 5.1 Positive Coherence

The first way is a *positive coherence* view, which says:

A memory belief is justified if your current mental states provide it with coherent, positive evidence or support.

Exactly what it is for a belief to be supported by coherent, positive evidence is an extremely complicated issue. Popular candidate elements include logical consistency, probabilistic consistency, and an explanatory relation. I will say nothing more about this here other than that I assume that positive coherence is one, or some combination, of those. The idea applied to the case of memory beliefs would be that our memory beliefs are justified because they positively cohere with the rest of our mental states, in
particular, our other beliefs.\textsuperscript{18} If that’s right, it could explain the justification of both our occurrent memory beliefs as well as our non-conscious memory beliefs.\textsuperscript{19}

\section*{5.2 Negative Coherence}

The second option for explaining the justification of our large stock of memory beliefs is a \textit{negative coherence} view, which says:

A memory belief has \textit{prima facie} justification simply in virtue of being held.\textsuperscript{20}

The idea here is that, in an important sense, \textit{nothing} is required for a belief to be justified. So long as one holds the belief, it is \textit{prima facie} justified. Of course, one’s \textit{prima facie} justification can be defeated by other evidence or knowledge that one has, so the negative coherence view doesn’t imply that any belief whatsoever is justified. But it does approach the idea of justified belief in an innocent-until-proven-guilty fashion. Motivations for the negative coherence view include avoiding radical skepticism and, in fact, the very thing that we are trying to do here: account for the justification of our memory beliefs. The way conservatism accounts for our memory beliefs, including the huge number of non-

\textsuperscript{18} Coherence theories are typically understood to say that the coherence relation is one that can hold (or fail to hold) exclusively between \textit{beliefs}. But perhaps coherence can also be understood to include non-doxastic states such as conscious experiences as well.

\textsuperscript{19} BonJour’s 1985 is an example of a positive coherence version of the current mental state view.

\textsuperscript{20} I get the ‘positive’ and ‘negative’ coherence terminology from Pollock and Cruz (1999). I should note, however, that people often refer to what I’m calling “positive” coherentism simply as “coherentism”; and people often refer to what I’m calling “negative” coherentism as “conservatism”. This last bit of terminology has become regrettabley confusing as ‘conservatism’ is now (following Pryor (2004)) employed to denote an altogether different (and important) idea in epistemology as well.
conscious ones, is quite obvious: it says that they are *prima facie* justified simply in virtue of being held by us.\(^{21}\)

### 5.3 Non-Phenomenal Foundationalism

The third possibility for the current mental state view is what we can call *non-phenomenal foundationalism*. The idea is that there is some non-phenomenal element of justification that is currently available which confers justification upon our memory beliefs. That the justification is non-phenomenal is what distinguishes this kind of foundationalism from the phenomenal state view that we considered earlier. There are different candidates for what the non-phenomenal element of justification might be. But perhaps the most plausible candidate is some kind of justification (either *a priori* or via “entitlement”) for believing that stored or recalled beliefs that we hold are probably true unless we have some particular reason for thinking that they aren’t.\(^{22}\)

Again, I’m going to be non-committal about which of these three versions of the current mental state view is correct.\(^{23}\) Further down, I will introduce a notion of *evidential sensitivity* that will provide a more complete explanation of how the current mental state view can account for the justification of our memory beliefs.

\(^{21}\) Harman’s 1986 is an example of a negative coherence version of the current mental state view.

\(^{22}\) The idea that we have epistemic “entitlements” is defended by several philosophers, including Burge (1993), Dretske (2000), and Wright (2004).

\(^{23}\) A full defense of the basic frameworks of these views (e.g., positive coherentism) would (of course) go well beyond the bounds of this dissertation. I fully acknowledge that the current mental state view that I am defending ultimately faces the general challenges that confront those basic frameworks. However, I think that each framework has enough viability to be taken seriously in our search for a theory of memory justification. And it also seems that the ability to provide a plausible epistemology of memory would serve as a significant mark in favor of those frameworks.
5.4 The Current Mental State View and Memory Experiences

The current mental state view puts a temporal restriction on what justifies our current memory beliefs. We’ve considered three possible ways that memory beliefs could be justified without current phenomenal memory states. But there is nothing in any of these views that excludes phenomenal memory states from providing justification. Indeed, it’s very plausible that such states confer justification, especially in the case of episodic memories. The problem with the phenomenal state view was not about that; it was just that such phenomenal states can’t be necessary for justification given the enormous store of important, justified, non-conscious beliefs that we hold. The current mental state view can thus take on board the plausible aspects of the phenomenal state view without being stuck with its inadequacies.

5.5 Advantages of the Current Mental State View

The current mental state view is a plausible view on memory justification simply because it best meets the basic requirements of any comprehensive theory of memory justification and also best accounts for our intuitions about particular cases. It meets the basic requirements of a comprehensive theory of memory justification, unlike the phenomenal state view, by providing an explanation of how our stored, non-conscious memory beliefs are justified. And, unlike preservationism, it accounts for our intuitions about epistemic undermining and cases such as the five-minute-world scenario.

24 Likewise, the current mental state view is compatible with the very attractive idea that perceptual experiences can provide justification.
We’ve already seen how the current mental state view has the potential for explaining the justification of our non-conscious memory beliefs. But what about handling our intuitions about epistemic undermining and cases such as the five-minute-world scenario? Well, consider again the *Hot Stove* case. Preservationism implies intuitively implausible things about that case because it takes evidence that you once had, but now have forgotten, to be epistemically relevant in the present. The current mental state view avoids that problem because, by definition, evidence that is not a current mental state has no bearing on the justification of your memory beliefs. And when we think of the *Hot Stove* situation in terms of your current mental states, the intuitive verdict about your belief being undermined follows. At the point in the story when you are coming home from work, the justification that your current mental states provide you with for believing that you turned the stove off is clearly undermined by what you learn from the firemen. There is nothing in your mind at that point that can act as a “defeater defeater” for what the firemen tell you. You are, thus, no longer justified in believing that you turned your stove off. The current mental state view will imply the same kind intuitively correct answer in other cases of epistemic undermining.  

So, the current mental state view, unlike preservationism, can make sense of epistemic undermining.

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25 It will also get the right answer in cases where it seems that our justification is not undermined, such as the *History Scholar* situation that I described in footnote n. In that situation, you are clearly justified in your belief about the first temperance group *immediately before* you read about Smith’s fraudulence. On the current mental state view, that means that you are justified in holding your belief about the first temperance group in virtue of your mental states *at that time*. Those mental states do not include any beliefs, occurrent or non-conscious, about the name or author of the article from which you initially formed your belief about the first temperance group. So, when you read about Smith’s fraudulent work, none of the evidence or justification provided by your current mental states is undermined. What you learn about Smith at that point simply seems to have no significant bearing on the justification provided by the mental states that you have at that time. So, your belief about the first temperance group remains justified. And that result matches our intuitions about the case.
The current mental state view also readily handles cases like the five-minute-world scenario. In terms of current mental states, a person is the five-minute-world scenario is, in the relevant sense, *just like you*. And *you* are clearly justified in holding your memory beliefs. Therefore, on the current mental state view, the person in the five-minute-world scenario is also justified in holding his memory beliefs. And that matches what our intuitions say about those kinds of cases.

So, the current mental state view does considerably better as a comprehensive theory of memory justification than both the phenomenal state view and preservationism. Of course, like any philosophical view, there are some problems for the current mental state view. Since it is my aim to defend the current mental state view in this chapter, I’d like to next spend a fair amount of time dealing with what is arguably its most serious problem.

6. The Problem of Seemingly-Innocent Beliefs with Bad Origins

Perhaps the central challenge facing the current mental state view is one having to do with memory beliefs that seem fine in relation to your current mental states yet were badly formed or maintained. We can characterize a *seemingly-innocent belief with bad origins* (hereafter, a *SIBO* belief) as a belief that was not justified at the time when the person formed it, yet, at a later time, the person has no current reason to doubt the
accuracy of the belief.\textsuperscript{26} Let’s consider this example of a SIBO belief from John Greco (2005):

Maria believes that Dean Martin is Italian. She believes this because she seems to remember clearly that it is so, and she presently has no reason for doubting her belief. But suppose also that Maria first came to this belief carelessly and irresponsibly (although she has now forgotten this). Many years ago, she formed her belief on the basis of testimony from her mother, who believes that all good singers are Italian. At the time Maria knew that her mother was an unreliable source in these matters, and she realized that it was not rational to accept her mother’s testimony. (p. 261)

None of Maria’s current mental states give her any evidence that her belief is false. So, the current mental state view seems to imply that her belief is justified. But this presents a

\textsuperscript{26} Actually, having bad \textit{origins} is not essential to the type of belief in question here. Consider the following series of events: at time $t$, a person forms a justified belief that $P$. Later, at $t_1$, the person obtains strong defeating evidence for his belief that $P$, but he ignores this evidence and continues to believe that $P$. Later still, at $t_2$, the person has completely forgotten the defeating evidence that he got at $t_1$ and he still holds the belief that $P$.

This person’s belief would be an example of the kind of belief that I’m going to be talking about in the next several sections, but, for ease of exposition, I’m going focus on beliefs that are \textit{initially} bad rather than ones that are \textit{intermediately} bad (in the way that I just described). What I say will apply equally to cases of \textit{intermediately-bad} beliefs.
problem for the current mental state view. As Alvin Goldman (2009) says, following Huemer (1999), it

[. . .] seems counterintuitive: Why should the mere passage of time—plus some forgetfulness on my part—suddenly make me justified in believing P although initially I was unjustified? (p. 323)

Indeed, we might think that one can never become justified in believing that P simply by forgetting evidence against P that we used to have. Huemer (1999) even suggests that there’s a

[. . .] general, intuitive constraint on a theory of memory justification: the justification for a belief cannot be increased by its passing into memory; it can only be lowered. (p. 349)

If these epistemologists are correct, SIBO beliefs seem to present a serious problem for the current mental state view of memory justification.27

Intuitions about SIBO beliefs differ, however, as several other epistemologists think it is intuitive that SIBO beliefs are justified.28 We might worry, then, that this issue just comes down to a battle of brute intuitions about cases. However, we shouldn’t rush to that conclusion. There have been some more general theoretical arguments offered in

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27 Epistemologists who find the justification of SIBO beliefs problematic include Senor (1993), Huemer (1999), Sosa (2003), Greco (2005), Goldman (2009), and Jackson (2011).

28 Feldman (2005a) discusses Greco’s (2005) case of Maria and claims that her belief is justified. Other defenses of the idea that SIBO beliefs can be justified occur in Feldman and Conee (2001), McGrath (2007), and Schroer (2008).
defense of each side. The first thing to do will be to look to them to see if they provide a conclusive position on SIBO beliefs.

6.1 Epistemic Responsibility

Those who think that SIBO beliefs are unjustified have sometimes appealed to the general notion of epistemic responsibility and the related notions of epistemic blameworthiness and epistemic praiseworthiness. The idea is that epistemic justification requires epistemic responsibility. When our beliefs are justified, we have met our epistemic obligations and, thus, are believing in an epistemically responsible way. When we fail to do this, we are epistemically irresponsible and, thus, epistemically blameworthy. Several prominent epistemologists have thought of epistemic justification in this way. If epistemic responsibility is indeed a general requirement of justification, then, if it turns out that SIBO beliefs are clearly epistemically irresponsible, we have a strong general reason for thinking that they are unjustified.

Several authors have claimed that SIBO beliefs are indeed epistemically irresponsible. For example, Greco (2005) says that

[. . .] whether a person is epistemically blameworthy for holding some belief is partly a function of the person’s prior behavior: if S’s reasons for believing b are the result of prior negligence, then S is not now blameless in believing b. (p. 261)

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29 They include Chisholm (1977), BonJour (1980), Moser (1985), and Foley (2005).
Greco then goes on discuss the case of Maria (which we considered in the last section) and he concludes that “[c]learly, Maria is not now blameless in believing that Dean Martin is Italian” (p. 261).³⁰

Can this appeal to epistemic responsibility show us anything important about the justification of SIBO beliefs? I don’t think it can. First, intuitions about the epistemic blameworthiness or responsibility of people’s beliefs in various cases seem to me no more clear or conclusive than intuitions about the justification of people’s beliefs in various cases. Is it really clear that Maria is epistemically blameworthy or irresponsible? I don’t think so.

However, even if it *is* clear that Maria is epistemically blameworthy in some important way, the question we have to focus on is whether she is blameworthy for currently believing that Dean Martin is Italian. And I think that the answer is that she isn’t. Blame can follow one around regardless of whether one is currently doing the right thing. It’s perfectly intelligible to say that a man is blameworthy for that way that he treated his wife several years ago, even if he treats her wonderfully today. In this way, it certainly makes sense to say that Maria is epistemically blameworthy for what she *did*. But why think she’s blameworthy for what she’s *doing*?

I think that the temptation to say that she is blameworthy for what she currently believes rests on a subtle error in how we should individuate the objects of epistemic evaluation. In one important sense, beliefs are temporally extended mental states. On this view Maria’s belief that Dean Martin is Italian began years ago and extended through time to the present day. If that is the object of evaluation, if she still has *that same* belief,

³⁰ Senor (1993) and Huemer (1999) also appeal to the idea of epistemic responsibility to indict SIBO beliefs.
then I think we will be tempted to see it as infected with irresponsibility and blame her for having it. But I don’t think that we should evaluate her current belief as part of an extended whole in that way. This is because each new acquisition or change of evidence that occurs over time gives us a continuing series of opportunities to modify our beliefs in light of our current evidential states. The primary objects of evaluation in epistemology should be our doxastic responses to our continuing stream of experience. And there seems nothing at all blameworthy about Maria’s current doxastic response to her current evidence. So, she’s not epistemically blameworthy for what she’s doing now. Thus, I don’t think that appealing to the notion of epistemic blameworthiness or irresponsibility will show us that SIBO beliefs are unjustified.

6.2 Epistemic Optimism

On the other side of the debate – i.e., the side claiming that SIBO beliefs are justified – a general theoretical argument has also been offered. This argument rests on the following attractive principle:

Epistemic Optimism: for any person S, any proposition P, and any time t, if S considers whether P at t, there is some doxastic attitude towards P that is justified for S to take at t.

Epistemic Optimism seems very plausible when we think about ordinary types of propositions that we might come across or wonder about. For many things that can ask
ourselves (e.g., whether the car is where we last parked it), it seems clear that belief is justified; for other things (e.g., that you can fly like a bird if you just flap your arms), it seems clear that disbelief is justified; and for all the other things (e.g., what the weather is going to like in a few weeks, how many leaves are on the tree outside the window, what Crispin Wright is thinking about at this very moment), either a very weak degree of belief or suspension of judgment is clearly appropriate.\footnote{31}

Richard Feldman (2005) appeals to Epistemic Optimism (although he doesn’t call it that or formulate it precisely as I have) to argue that SIBO beliefs are justified. He says about Greco’s (2005) case of Maria:

Suppose Maria considers the proposition that Dean Martin is Italian and wonders what attitude to take toward it. She has a clear memory of learning this, and has good reason to trust her memory. She has, as the statement of the example makes explicit, no reason to think otherwise. It would be absurd for her to think, in spite of this, that he is not Italian. So, disbelieving the proposition is clearly not a reasonable option, given the situation that she is in. Perhaps a critic thinks that she would be most reasonable to suspend judgment. But this, too, is quite implausible. She has reasons to think that he is Italian and no reason to think otherwise. Nothing competes with her reasons in favor. [...] Thus, of the options open to her – believing, disbelieving, suspending judgment – believing is the only sensible option. Her belief is justified after all. (p. 282)

\footnote{31 Of course, my last example assumes that you ≠ Crispin Wright.}
Assuming that Epistemic Optimism is true, this argument is very compelling. The cognitive dissonance that would result in Maria taking any attitude other than belief towards the proposition that Dean Martin is Italian would render that attitude unjustified. So, if there is a justified doxastic attitude to take, it must be one of belief.

There is a problem with this argument, however. Despite the initial appeal of Epistemic Optimism, it is subject to apparent counterexamples. Perhaps the most compelling is the anti-expertise paradox. David Christensen (2010) provides a nice version of the paradox:

I’m a neurologist, and know there’s a device that has been shown to induce the following state in people: they believe that their brains are in state S iff their brains are not in state S. I watch many trials with the device, and become extremely confident that it’s extremely reliable. I’m also confident that my brain is not in state S. Then the device is placed on my head and switched on. My confidence that my brain is not in state S ..... well, it’s not clear here what should happen here. (pp. 187-8)

It is very plausible to think that there is simply no justified doxastic attitude that the person in this situation could have about whether his brain is in state S. Can he justifiably continue to believe that his brain is not in state S after the device has been placed on him and switched on? No, for the person would then have (introspectively available) evidence that he doesn’t believe that his brain is in state S, yet that would give him very strong and

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32 Other possible counterexamples include the surprise examination paradox, the preface paradox, and the lottery paradox. For an overview of these paradoxes and more, see Sorensen (2012).
salient inductive grounds for believing that his brain actually *is* in state S. But he couldn’t justifiably believe that his brain *is* in state S either. For he would then have (introspectively available) evidence that he believes his brain is in state S, yet that would give him very strong and salient inductive grounds for believing that his brain is *not* in state S. That leaves us with the option of suspending judgment. Couldn’t he at least justifiably do that? (We might suspect that one can *always* justifiably suspend judgment.) It seems that suspense of judgment won’t be justified here either. For he will have (introspectively available) evidence that he is suspending judgment, yet that will give him very strong and salient inductive grounds for believing that his brain is in state S. So, whatever doxastic attitude he takes, his evidence will not be proportioned to that attitude.

Not everyone accepts this interpretation of the case. Earl Conee’s (1987) position is that suspense of judgment is justified for the person in the anti-expertise case. Applied to our version of the paradox, Conee’s view says that although suspending judgment about whether his brain is in state S will give the person strong and salient evidence that his brain *is* in state S, the person is, nonetheless justified in suspending judgment about whether his brain is in state S. Why should we find this plausible? Conee claims that:

No epistemic good available to him is sacrificed by withholding, and only by withholding does he avoid all epistemic mistakes. (p. 326)

The “epistemic goods” that are not available to the person here are presumably true beliefs. He can’t get one of those in this situation, so, in that sense, the person doesn’t miss out on any epistemic goods by suspending judgment (or withholding, to use Conee’s
terminology). The “epistemic mistakes” would presumably be believing or disbelieving because they would result in the person holding beliefs that he knows misrepresent the way the world is. Suspending judgment doesn’t have this defect. It doesn’t represent the world in any way and, thus, can’t misrepresent it. So, in that sense, suspending judgment avoids an epistemic mistake.

The idea that suspending judgment avoids an “epistemic mistake” in the sense that we are really concerned with is, however, extremely suspect. If it’s an epistemic mistake – i.e., something that would render one’s doxastic attitude unjustified – to believe something for which you have strong and salient evidence that it’s false, why wouldn’t it be an epistemic mistake to fail to believe something for which you have strong and salient evidence that it’s true? Isn’t it an epistemic requirement to have beliefs proportioned to one’s evidence? If so, I don’t see why we should think that suspending judgment in the anti-expertise paradox is any better than the other possible doxastic attitudes.

Roy Sorensen (1987) also attempts to avoid the conclusion that all attitudes are unjustified. He does this by claiming that no person would be justified in accepting that he is an anti-expert of the sort we are considering in the first place. Applied to our version of the paradox, Sorensen’s position is that, despite the empirical evidence strongly indicating that the device does indeed make anyone wearing it an anti-expert about whether his brain is in state S, if the device were placed on you, you would not be justified in believing that it made you an anti-expert about whether your brain is in state S.33 In that way, you would avoid getting stuck in the paradoxical situation.

33 In the sense that we are interested in here, one is an anti-expert about P when one believes that P iff P is false, as in our example.
But how could one justifiably follow Sorensen’s proposal? How could a person in our example justifiably fail to believe that he is an anti-expert about whether his brain is in state S when he has seen what the device does and he knows that the device has been placed on him? Sorensen’s answer is that “no amount of empirical evidence” could justify one in believing that he’s an anti-expert about whether his brain is in state S (p. 310). Recognizing the potential charge of dogmatism, Sorensen claims that “we are justified in paying a high price to avoid positions that cannot be consistently accepted” (p. 312).34

This is a high price indeed; so high, in fact, that it throws Sorensen’s position into serious doubt. Accepting things from which contradictions can be derived does seem epistemically problematic, but so does dismissing strong and salient empirical evidence. I don’t see why we should think that a person in our example could maintain a justified doxastic attitude about whether his brain is in state S by dismissing the empirical evidence he has about the efficacy of the device. As in the case of Conee’s position, it seems as though the proffered cure may be just as bad as the disease.

Even if Conee or Sorensen are right and Epistemic Optimism holds even in the anti-expertise case, it seems that one’s justification in that case is at least tarnished. If

34 How do “positions that cannot be consistently accepted” follow if one accepts that he is an anti-expert about something? Well, assume that you believe:

(1) I believe that P iff P is false.
(2) I don’t believe that P.

You will then get an inconsistency via the following chain of inference:

(3) P (From (1) and (2))
(4) I believe that P. (Introspection and (3))
(5) Contradiction (From (2) and (4))

The same argument, mutatis mutandis, can be constructed by using “I believe that P” or “I suspend judgment about whether P” as the second premise.
there is always some doxastic attitude that a person one can take towards $P$, even if one has significant evidence that one is an anti-expert about $P$, then it seems that there is at least something less than epistemically ideal about the justification of that doxastic attitude. When one has to refrain from drawing salient and obvious conclusions that he can see follow from his other beliefs, or dismiss strong and compelling empirical evidence that he’s consciously aware of, the resulting epistemic state clearly leaves something to be desired, even if that state crosses some threshold of acceptability or is the best of bad options.\(^{35}\) It seems, then, that Conee or Sorensen have, at best, defended a weakened version of Epistemic Optimism.

\textit{Weak Epistemic Optimism:} for any person $S$, any proposition $P$, and any time $t$,

\[
\text{if } S \text{ considers whether } P \text{ at } t, \text{ there is some doxastic attitude towards } P \text{ that is, at least, weakly or non-ideally justified for } S \text{ to take at } t.
\]

I’m not satisfied with a defense of SIBO beliefs that relies on Weak Epistemic Optimism. There are two reasons for this. First, it’s not at all clear that even Weak Epistemic Optimism survives the anti-expertise paradox. As I explained above, Conee’s and Sorensen’s positions are highly dubious. I, thus, don’t want to rest my case on the plausibility of their views.

Second, it seems to me that certain SIBO beliefs are not merely weakly justified, but, rather, are fully justified. The justification of those SIBO beliefs is not tarnished in the way someone’s justification in the anti-expertise case would be if that person were to

\(^{35}\) Christensen (2010) has insightfully and effectively made this point.
take Conee’s or Sorensen’s advice. Unlike that person, someone with a SIBO belief needn’t be doing anything epistemically wrong in any way. It seems to me that at least some SIBO beliefs are fully justified regardless of their dubious origins.

Is there any case to be made for this apart from brute intuition? I think so, and I’ll make that case now.

7. Solving the Problem

The arguments both for and against the justification of SIBO beliefs that we’ve considered so far are inadequate. I don’t think, however, that we are left with only brute intuitions. Those intuitions diverge amongst different people and even within ourselves when we consider various cases. I think that an important part of the problem is that SIBO cases are typically underdescribed. Details with significant epistemic relevance are largely left out, or, at least, not explicitly identified and discussed. I suspect that this has led to diverging intuitions about these cases. What I’m going to do next is fill in some of the important details in the SIBO cases and explain how they are epistemically relevant. I will introduce an important sense of evidential sensitivity that is essential for doxastic justification and also allows us to properly assess the justification of SIBO beliefs. Using this framework, I will argue that some SIBO beliefs are justified and others aren’t. I hope that this mitigates some of the divergence in intuitions and provides a compelling theoretical position on the justification of SIBO beliefs.
7.1 An Unjustified SIBO Belief

To begin, let’s imagine that there is an ingenious yet mischievous neuroscientist who has invented a brain-monitoring device with which he can effectively tell exactly what kinds of mental states a person is in and their propositional content. He has also invented a brain-controlling device with which he can cause people to have virtually any kind of mental state and content. Both devices are effective from long distances so subjects can be both monitored and modified without realizing that their mental states are being read and controlled by the devices. The neuroscientist sets out to do some epistemic experiments on unknowing subjects. Consider, first, this case:

*Irrational Ira:* Ira consistently makes awful inferences about whether women he meets are romantically interested in him. Virtually any time that meets a woman, he infers that she is romantically interested in him, regardless of whether she is showing any signs of interest; and most of the times that Ira meets women, the women do not show any signs of interest. Even when they clearly show evidence that they are *not* romantically interested, Ira still infers that they are. Ira’s beliefs about this are virtually completely insensitive to the evidence and are formed based on extreme wishful thinking.

Today, however, Ira has become one of the unsuspecting subjects of the neuroscientist. The neuroscientist has been sitting on a park bench with his brain-reading and brain-controlling devices, secretively using them on other people in the park. Ira has come along and sat down on a bench across a field from where...
the neuroscientist is located. As he sits on the bench, the neuroscientist aims his brain-reading device at Ira and begins to monitor Ira’s mental states. A woman comes along and sits down on the bench next to Ira for a moment to tie her shoe. Ira strikes up a conversation. The woman is clearly not interested. Her responses to Ira’s questions are short and have an air of annoyance. She hurries off quickly. Ira, as usual, ignores the evidence and forms the belief that the woman is very interested in him romantically.

At this point, the neuroscientist, monitoring the entire episode between Ira and the woman, recognizes that Ira has formed an unjustified belief about the woman’s interest. The neuroscientist decides to do some epistemic tinkering. He uses his brain-controlling device to put some misleading evidence in Ira’s mind supporting the belief that the woman was romantically interested (e.g., some fake episodic memories of the woman smiling and flirting with Ira). And he removes from Ira’s mind any evidence to the contrary (e.g., episodic memories for the woman looking bored or uninterested in what Ira had to say).

At the point after the neuroscientist has interfered, Ira’s current mental states evidentially support the belief that the woman was romantically interested. Yet Ira’s belief was not caused by that evidence and is not sensitive to it; Ira would believe that the woman was romantically interested even if he didn’t have that evidence. And he remains poised to form the same kind of belief about each woman that he each meets in the future, regardless of what his evidence supports.
I think that this is a clear case of a SIBO belief that is *not* justified. Ira is not justified in believing that the woman is romantically interested in him regardless of the neuroscientist’s meddling. It’s true that, after the neuroscientist interferes, Ira’s total evidence supports his belief that the woman is romantically interested. But in an important sense, this doesn’t matter vis-à-vis his belief about the woman. Ira is going to believe that the woman is interested regardless of the evidence. His belief wasn’t *sensitive* to the evidence before the neuroscientist got involved; and it’s not sensitive to the evidence after the neuroscientist does his work.

### 7.2 Evidential Sensitivity

I think that the evidential sensitivity that I’m talking about here is essential for doxastic justification. I’m going to argue that one isn’t justified in his doxastic attitude about P if he isn’t sensitive to his evidence about P. To make the case for that claim, let me first try to illuminate what this sensitivity comes to.

We might first try to describe it in counterfactual terms and say:

*S is sensitive to his evidence regarding P* iff (1) were S’s evidence to support a belief that P and S considered whether P, then S would form the belief that P, (2) were S’s evidence to not support a belief that P and S considered whether P, then S wouldn’t form the belief that P, and (3) if S currently either believes or disbelieves that P, then were he to get new evidence that either supports or tells
against P, he would modify his doxastic attitude about P in proportion to the new evidence.

That certainly gets at the right idea, but like most (or all) counterfactual analyses, it faces counterexamples such as this one: S is reasoning perfectly well, he appreciates that his evidence supports P and he accordingly believes that P in proportion to his evidence. It is clear that, in this case, we should say that S’s belief that P is justified. But imagine that the neuroscientist is monitoring S’s every brain signal and if S hadn’t had the evidence that P, the neuroscientist would have made him believe P anyway. Because of the neuroscientist’s involvement here, S’s belief counts as insensitive to the evidence on the counterfactual analysis in question. And since sensitivity is (I say) required for doxastic justification, it would then mean that S’s belief in this case is unjustified. But S’s belief clearly is justified in this scenario. So, we should reject the counterfactual analysis.

To avoid such counterexamples, let’s characterize sensitivity in terms of dispositions instead. We can say:

\[ S \text{ is sensitive to his evidence regarding } P \iff \begin{align*}
(1) & S \text{ is disposed to believe that } P \text{ when he considers whether } P \text{ and his evidence supports a belief that } P, \\
(2) & S \text{ is disposed to not believe that } P \text{ when he considers whether } P \text{ and his evidence doesn’t support a belief that } P, \\
(3) & \text{if } S \text{ currently either believes or disbelieves that } P, \text{ then he is disposed to appropriately modify his existing doxastic attitude about } P \text{ if he gets new evidence that conflicts with his belief or disbelief that } P.
\end{align*} \]
I think this adequately captures the notion of evidential sensitivity.\textsuperscript{36}

In Ira’s case, he doesn’t meet the requirements of sensitivity as characterized. He is not disposed to refrain from believing that the woman is romantically interested in him when his evidence doesn’t support that belief. The neuroscientist does nothing to change that despite putting the supporting evidence in his head. And having the dispositions to respond properly to one’s evidence is essential to being justified in one’s doxastic attitude. Intuitively, we don’t count people who lack such dispositions as justified in their beliefs.

To confirm this, forget about our fancy neuroscientist scenario and think about a simple and realistic case: Tom is dogmatically conservative. He thinks that virtually anything his conservative role-models say is true and virtually anything that his progressive opponents say is false. One day, he reads an article where a conservative pundit argues that crime in a certain state has increased since their immigration policies became more lax. Tom is such that he would almost invariably believe the pundit’s conclusion, regardless of how bad the pundit’s case was. It so happens that the pundit actually made a pretty compelling case for his position this time, offering some significant evidence and arguments for his claim. After reading the article, Tom, predictably, believes that crime rose in that state after the immigration policies became more lax. But he doesn’t believe it because of the probative force of the evidence. He is insensitive to that. And, intuitively, it seems that Tom’s belief is not justified despite his having evidence that supports his belief.

\textsuperscript{36} If there are problems for the dispositional analysis as well, then let us hold that evidential sensitivity is some kind of relation, perhaps brute, that we are able to intuitively discern.
The situation here is analogous to the distinction between *having a moral reason* to φ and φ-ing *for a moral reason*. Imagine that Tom is in the store and he sees someone that he decides he is going to attack, disable, and restrain because he doesn’t like the shirt that the person is wearing. Presumably (given that the shirt isn’t extraordinary in some odd way), he doesn’t have moral reason to do this to the person. But imagine that in making his way towards the person, he learns from another shopper that the man is an escaped dangerous felon who is a threatening several women and children standing near him. This may give Tom moral reason to attack and restrain the person. But imagine that Tom is insensitive to this reason. It wouldn’t motivate him to act on its own. And he would act in absence of it, so long as the person were wearing the shirt that Tom doesn’t like. Because of his insensitivity to the moral reason, when Tom actually does attack and restrain the person, I think that he fails to it *for a moral reason*.

Doxastic justification requires believing something *in the right way* analogous to acting *for the right reasons*. This is why we naturally think of Ira as failing to be justified in believing that the woman is romantically interested in him. We think that he doesn’t hold those beliefs in the way required for doxastic justification even though he ends up having evidence that supports those beliefs.
7.3 Justified SIBO Beliefs

Let’s now consider the following continuation of Ira’s story:

_Irrational Ira (continued):_ Inspired by his successful modification of Ira’s mental states, the neuroscientist decides that this is a good opportunity to try out a new device that he’s been working on. The neuroscientist noted Ira’s irrational response to his evidence about the woman and, because of some prior observation and monitoring of Ira’s thoughts, the neuroscientist correctly suspects that Ira lacks the disposition to respond appropriately to his evidence regarding the romantic interest of women. The neuroscientist’s new device is a tool for modifying deep structures in the brain, including cognitive and behavioral dispositions. So, given the situation with Ira, the neuroscientist decides to experiment and see whether he can modify Ira’s brain so that Ira has the disposition to properly respond to his evidence.

The experiment is a success. The device effectively modifies the structure of Ira’s brain so that he now has the disposition to respond appropriately to evidence about whether women are romantically interested in him or not. He also still retains the implanted evidence about the last woman that the neuroscientist put in his brain and has no evidence that the woman was not interested in him. He continues to believe that the woman was romantically interested in him. This belief is perfectly proportioned to the evidence that he has. He is poised to
properly respond to any further evidence about this matter. And he is poised to properly evaluate his evidence in future cases of meeting women.

Is Ira justified in his current belief that the woman on the bench was romantically interested in him? Intuitively, I think that he is. And, theoretically, I think this makes sense as (a) the evidence that Ira has supports his belief and (b) Ira is sensitive to that evidence as well as future evidence that bears on his belief. Because of this, Ira is fully justified in his belief that the woman was romantically interested. This is, then, a case of a justified SIBO belief.

I submit that for a SIBO belief to be justified, the following two conditions must hold: first, the person’s current mental states must provide justification in one of the ways I suggested earlier – either positive coherence, negative coherence, or by some kind of foundational element. Second, the person must be sensitive to the evidence bearing on whether the belief is true. This lets us draw a principled distinction that tracks and intuitive difference between various SIBO beliefs.

7.4 SIBO Beliefs in the Literature

Discussions of SIBO cases are often underdescribed in that they don’t specify whether the person in the situation has the required sensitivity to the evidence. I conjecture that this is, at least in several cases, why we are pulled in different directions when we consider whether the SIBO beliefs in question are justified. Take, again, Greco’s (2005) case of Maria. There we learn that Maria originally formed her belief about Dean Martin
being Italian in a bad way - viz., by believing her mother, who Maria knew to be unreliable about such matters. Maria did not properly take her evidence about the unreliability of her mother’s testimony into account when she formed her belief. But the issue of whether Maria was or, more importantly, is now sensitive to her evidence about whether Dean Martin is Italian is simply not addressed in Greco’s formulation and discussion of the example. Did Maria lack the disposition to respond appropriately to her evidence at the time when she formed the belief about Dean Martin being Italian? If so, did that bad trait persist through to the present? Or, instead, did she always have a stable disposition to respond appropriately to the relevant evidence but just make a rare error when she formed her belief about Dean Martin? Or did she lack sensitivity back when she formed the belief yet gain the disposition to respond properly in the intervening time? We are not told. And our intuitions about whether Maria is justified in her belief about Dean Martin being Italian will, I think, vary with how we mentally fill in those details. So long as we are explicit about whether Maria is sensitive to her evidence, I would hope that our intuitions are less divergent and more stable.

The case of Maria is just one of numerous examples in the literature where details or indications about the agent’s evidential sensitivity are conspicuously absent. Again, I would hope that our intuitions converge when we fill in those details. And I think that the general framework that I’ve described here suggests a compelling and principled way to distinguish between justified and unjustified SIBO beliefs.

37 They include Huemer’s (1999, pp. 348-9) example of a belief about the afterlife, Goldman’s (1999, pp. 280-1) second variation of the case of Sally (although in that discussion Goldman is concerned with whether the agent has knowledge, not just the kind of justification that we are now concerned with), Pollock and Cruz’s (1999, p. 47) example of “a person who has all of his memories altered artificially”, McGrath’s (2007, p. 4) example of a belief about Hannibal and the third Punic war, and Goldman’s (2009, pp. 324-5, and 326) cases of Ursula and Ursula2.
8. The Current Mental State View Defended

If that’s right, then the current mental state view does not founder on a problem with
SIBO beliefs. Dispositions to respond properly to one’s evidence are themselves mental
states. Thus, the evidential sensitivity required for the justification of SIBO beliefs is
itself a mental state.\footnote{Alternatively, if we are uncomfortable with calling evidential sensitivity itself a mental state, the current mental state view can stand without it as theory of propositional justification that must be supplemented with evidential sensitivity as part of a theory of doxastic justification.} This means that whether a SIBO belief is justified or not can be
completely a matter of the current mental states of the believer. The current mental state
view can then accommodate the intuitively compelling cases of SIBO beliefs that are \textit{not}
justified. It can also be invoked to explain why other SIBO beliefs \textit{are} justified. I see this
as a significant advantage of the current mental state view.

We saw earlier that the alternative epistemological accounts of our memory
beliefs face serious problems. The current mental state view handily deals with all of
those problems. And we have seen that it can also withstand the challenge presented by
SIBO beliefs. I thus conclude that the current mental state view provides the most
plausible epistemology of our memory beliefs.

9. The Current Mental State View and the Epistemology of Disagreement

Let’s return, finally, to the main issue of how memory factors into the epistemology of
disagreement. One of the concerns there is that, on the view of disagreement that I laid
out in Chapter 4, the direct evidence will do \textit{too much}. This was illustrated by the \textit{Trivia}
case we’ve been considering throughout this chapter. Intuitively, in that case you should
significantly lower confidence in your belief that Australia is the smallest continent. You should do that despite the fact that you originally formed the belief on very good grounds – the visual experience of an encyclopedia depicting Australia as the smallest continent - that would not themselves be undermined by a friend’s conflicting testimony. As we saw earlier, the preservationist account of memory justification can’t plausibly explain why your justification is undermined in the Trivia scenario. The current mental state view, however, gets the correct result. To see how, let’s first think about the justification that you have for your belief before you learn about your friend’s disagreement. When you first hear the trivia question, you are justified in believing that Australia is the smallest continent. The current mental state view says that this justification is a matter of your current mental states at that time. This, importantly, does not include the evidence that you originally based the belief upon. Ex hypothesi, you have forgotten that evidence. So, something else must be justifying your belief that Australia is the smallest continent. Specifically, it is either the positive coherence, negative coherence, or some kind of foundationalist element located in your current mental states that is providing you with justification.

But now consider what happens when you learn about your friend’s disagreement. Upon discovering that, you get an important piece of undermining evidence. Since you justifiably believe (based on the track record of playing trivia with your friend) that he is just as likely as you to be right about questions like the present one, you have a significant dispute-independent reason to think that you are the one who is in error about the smallest continent. There is, intuitively, nothing in your set of current mental states that can withstand this undermining evidence. If you were the one who made the mistake
about the smallest continent, your current mental states would positively cohere just as they do now, they would negatively cohere just as they do now, and they would have the same foundational elements that they do now. Because your justificatory basis would be the same regardless of whether you made the error or not, the evidence suggesting that you are just as likely to be wrong about the smallest continent as you are to be right cannot be resisted or counteracted by the justificatory basis for your belief about the smallest continent. That justificatory basis doesn’t discriminate between error and accuracy in the right way in this situation. Thus, once you get the undermining evidence from learning about the disagreement, your justification for a positive degree of belief is undermined. Since this is intuitively the right thing to say about the Trivia case, the current mental state view is in line with our intuitions.

The second concern that I have about the role of memory in the epistemology of disagreement is that the direct evidence will do too little. The Coffee Conversation case illustrated that worry. At one point in that scenario, you are having a detailed debate with your friend about whether P, explicitly articulating and assessing the direct evidence bearing on whether P. The view on disagreement that I defended in Chapter 4 implies that you can be justified in maintaining your opinion that P in the face of your friend’s disagreement at that point in the story. If that’s right, however, then presumably you can also maintain a justified opinion that P at the end of the story, when you no longer have the direct evidence consciously in mind yet your friend transiently mentions his disagreement with you about P. As we saw earlier, the phenomenal state view implies,

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39 Contrast this to what were to happen if your initial evidence that you used to form your belief were relevant here. That evidence – the visual experience of an encyclopedia depicting Australia as the smallest continent – would discriminate in the right way. It would provide significant support for your belief about the smallest continent and, hence, that you have the accurate belief in this disagreement with your friend.
counterintuitively, that you would lose your justification when your friend mentions his disagreement late in the conversation. The current mental state view, however, gets the correct result. The direct evidence that you have about P, although not consciously before your mind, supports the belief that P. You don’t need to consciously go through it each time that your friend merely mentions his disagreement. The direct evidence, though non-conscious, still plays a justificatory role supporting your belief. This is consistent with the current mental state view of justification. And as long you are sensitive to that direct evidence, you can maintain a justified belief that P in the face of your friend’s disagreement.

10. Conclusion

The two-streams view of undermining and disagreement that I constructed and defended in Chapters 3 and 4, and the current mental state view of justification defended in the present chapter, are, thus, an attractive combination. The combination yields a view saying that we can maintain justification in the face of disagreement while, at the same time, avoids problems that arise when we consider how debates and opinions form and unfold diachronically. The conjunction of views that I’m offering in this dissertation thus offers a compelling position on disagreement, epistemic undermining in general, and memory as well. It speaks to each of these independently important areas of epistemology and also offers an attractive and plausible explanation of the important ways that they relate and interact. I propose that it is, thus, a compelling structure of epistemological theory.
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