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PEER DISAGREEMENT AND RATIONALITY:
AN ANALYSIS OF RICHARD FELDMAN'S CONCILIATORY VIEW

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Introduction

Social Epistemology and the Problem of Disagreement

There are at least four *prima facie* categories of evidence: observation, deductive inference, inductive inference, and testimony.¹ The first three have had a great deal of attention paid to them in philosophy; the fourth, however, has been relatively neglected. Whatever the reason for this neglect, it cannot have arisen from the insignificance of the role played by testimony in the forming of beliefs in the community, as C.A.J. Coady observes in his 1973 article on “Testimony and Observation.”² Due to the failure of classical epistemology to give testimony its due, that epistemology has come under fire from a number of quarters within the last fifty years or so. Critics charge that traditional epistemological undertakings have been too individualistic, assuming that cognitive achievements belong to the individual believer alone, all the while ignoring the part that others play in the acquisition and transmission of knowledge.³ In response to these concerns about classical epistemology’s overly narrowed focus on the individual, a branch of epistemology called *social epistemology* has sprung to the foreground.

Social epistemology studies questions regarding the social dimensions of knowledge.⁴

One of the key elements of this social theory of knowledge is testimony. Human beings are

¹ C.A.J. Coady, “Testimony and Observation,” in *Knowledge: Readings in Contemporary Epistemology*, eds. Sven Bernecker and Fred Dretske (New York, NY: Oxford University Press, 2000), 537.

² Ibid.

³ Diego E. Machuca, “Editor’s Introduction,” in *Disagreement and Skepticism*, ed. Diego E. Machuca (New York, NY: Routledge, 2013), 2.

⁴ In his *Stanford Encyclopedia of Philosophy* article on social epistemology, Alvin Goldman writes that in the history of philosophy there have been relatively few signs of social epistemology until recently. In the second half of the 20th century philosophers and theorists launched a variety of debunking movements aimed at classical epistemology. In the 1960s and 1970s there was a convergence of such thinkers who attacked the notion of truth and objectivity. Some of the relevant authors in this regard were Thomas Kuhn, Michel Foucault, and Richard Rorty. These writers sought to replace “rational” approaches to science and other intellectual endeavors with political, military, and/or other “arational” models of cognitive affairs. This “debunking” social epistemology of the second half of the 20th century differs sharply from contemporary social epistemology. Contemporary social epistemology

rational, but they are also social. We believe, or disbelieve, a great deal of things based on the testimony of other persons we consider rational peers. A particular virtue needed for testimony to successfully transmit knowledge from one knower to another is trust.⁵ One must trust that the testimony she receives is reliable, well-informed, not overly biased, etc. – it needs to be the type of thing that can properly justify belief. With this outline of testimony in place, we may turn next to the second key element of social epistemology, namely: disagreement.

If testimony is the right hand of our social theory of knowledge, then surely disagreement would be its left. (Perhaps we might say that disagreement is a type of testimony, or a subclass of testimony.) Disagreement is the phenomenon of two persons taking two different beliefs, or attitudes, or opinions that conflict with each other. They are inconsistent beliefs, such that it cannot be the case that both of them are true. Disagreement happens in at least two ways. The first way might be called mundane disagreement – ‘mundane’ in the sense that it’s philosophically uninteresting, for the most part. These are disagreements that happen because the two people who disagree with each other are not on the same intellectual level, or they aren’t equally well-informed, or one is being deliberately stubborn, or some regrettable combination of these. The patient who disagrees with the doctor’s advice, or the layman who disregards the opinion of the scientific expert, or the critic of some public policy who hasn’t fully or thoroughly

is largely continuous with classical epistemology. It sees no need to reject or distance itself from the epistemological projects of the past, and holds that social practices can be – and often are – aimed at finding the truth. Thus, the type of social epistemology one finds today in philosophical literature doesn’t call for any large-scale debunking of classical epistemology. Such epistemology can survive with an expanded conception of how the truth-goal can be served, namely, with the help of well-designed social and interpersonal practices and institutions. A major area of study in contemporary social epistemology revolves around the epistemology of testimony and the epistemology of disagreement. The years since 2000 have witnessed a surge of activity in these areas of social epistemology. The work in this thesis is a continuation of the work being done in contemporary social epistemology. For a full discussion of the development of social epistemology, see Alvin Goldman and Thomas Blanchard, “Social Epistemology,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, 2015: URL = <<http://plato.stanford.edu/archives/sum2015/entries/epistemology-social/>>.

⁵ Machuca, “Editor’s Introduction,” 2.

examined the pitfalls of removing the policy are engaging in mundane disagreements. They are mundane because we can explain why they occur and how to resolve them. They occur because one of the disagreeing parties is only superficially familiar with the evidence regarding the dispute, while his interlocutor is much more informed.⁶ Rationality would tell us that the less informed individual's beliefs are subpar, or perhaps the process he went through in forming those beliefs is subpar (because he wasn't thorough, or honest, etc.), and that he should show epistemic deference to the more informed person. If the poorly informed disputant familiarizes himself with the evidence he overlooked, it seems this would be one clear way to resolve the dispute.

The second type of disagreement, which is the subject of the current literature on the epistemology of disagreement, concerns "epistemic peer disagreement." Much of the literature concentrates on cases where one of the parties to a peer disagreement has good reason to think that the other person is roughly equally well-acquainted with the relevant evidence and arguments on the disputed issue.⁷ Along with being equally well-acquainted with the evidence, the disagreeing parties also have good reason to believe that the other person is just as competent at correctly evaluating the evidence and arguments of the relevant sort.⁸ Thus, in peer disagreements, the disagreeing parties are peers in an intellectual sense.

Disagreement with intellectual peers happens frequently. Two expert weather forecasters disagree about the weekend forecast; two equally well-informed economists disagree about the

⁶ Or both disputants are ill-informed, and disagree with each other out of mutual ignorance.

⁷ David Christensen and Jennifer Lackey (eds.), *The Epistemology of Disagreement: New Essays* (Oxford, United Kingdom: Oxford University Press, 2013), 1.

⁸ Ibid.

most likely movement in interest rates.⁹ While it seems like two people who are just as competent, smart, well-informed, etc. should come to the same conclusions about questions in their domain of expertise, this is often not the case. So what are the epistemic consequences of peer disagreement?

Some philosophers think that general negative consequences result from peer disagreement; that some sort of substantial revision or suspension of belief is epistemically required in light of revealed peer disagreement.¹⁰ These philosophers advocate positions toward what might be called the “conciliatory” or “conformist” end of the spectrum. Since a disagreement with a peer is a disagreement with someone who is just as capable of making informed judgments as you are, you need to take a peer’s disagreement seriously, and think about whether it is reasonable to retain your belief in light of the disagreement. Those who hold to a conciliatory viewpoint will argue that upon learning that a peer disagrees with you about whether p , you cannot rationally continue to believe that p or to hold it to the same degree or with the same confidence; all the parties to the dispute are rationally required to significantly revise their beliefs.¹¹

Other philosophers advocate positions toward what might be called the “steadfast” or “non-conformist” end of the spectrum. On their views, most of those holding opinions on disputed issues need not lower their confidence in a peer disagreement (unless there are non-disagreement-related reasons for doing so).¹² Steadfast-minded philosophers do not think that

⁹ Richard Feldman and Ted A. Warfield (eds.), *Disagreement* (New York, NY: Oxford University Press, 2010), 1.

¹⁰ *Ibid.*, 4.

¹¹ Machuca, “Editor’s Introduction,” 3.

¹² Christensen and Lackey, *The Epistemology of Disagreement*, 1.

there are general negative epistemic consequences that result from peer disagreement. Indeed, they think that there are no general epistemic consequences of disagreement.¹³ These philosophers are more inclined to think that you can justifiably stick to your beliefs in the face of some peer disagreements (though not necessarily all peer disagreements).¹⁴

Perhaps the most important (or a couple of the most important) and tricky questions about peer disagreement that need to be answered by both conciliatory and steadfast minded philosophers are these: given our understanding of epistemic peerhood and of what a peer disagreement involves, does it follow that at least one of the disagreeing parties must, because of the disagreement, revise her belief on pain of irrationality? Does it follow that at least one of the parties has an unjustified belief? Should we say that *both* disagreeing peers must revise and/or that *both* have unjustified beliefs?¹⁵ These questions point us in the direction of what the general epistemological problem of disagreement might be. The problem, stated all too broadly, is that it's not clear just what the rational response to peer disagreement should be. This general problem of disagreement will be dealt with specifically as it shows up in the analysis of Richard Feldman's position on disagreement.

The Key Questions

The previous section highlighted a few of the important general questions regarding the epistemic significance of disagreement. This section will outline the specific questions regarding disagreement to be dealt with in this thesis, which will center around Richard Feldman's work on disagreement. The purpose of this thesis is to evaluate Feldman's view on disagreement and the

¹³ Feldman and Warfield, *Disagreement*, 4.

¹⁴ *Ibid.*

¹⁵ *Ibid.*, 3-4; Feldman and Warfield mention these questions as being key to the discussion on disagreement.

criticisms against his view. Over the last thirteen years or so, Feldman has argued for a conciliationist view on disagreement.¹⁶ He thinks that a peer disagreement counts as higher-order, or second-order, evidence about the merits of the first-order evidence that each of the parties to the disagreement cites as supporting their conflicting beliefs. If one's higher-order evidence indicates that the first-order evidence does not support a conclusion, then if one should respect the evidence, one should not maintain belief in that conclusion.¹⁷ Feldman takes it that a respected peer's disagreement is a piece of higher-order evidence that undermines the justification one has for forming a belief on the basis of the first-order evidence.¹⁸ Because of this, the disputants will need to revise their original beliefs that were based on the first-order evidence. And by revising their beliefs, Feldman means that they will need to suspend judgment on the matter.¹⁹

A central aspect of Feldman's view is that there actually are epistemic peers – persons who share the same evidence and are equally intelligent – and this is why he thinks that peer disagreements count as higher-order evidence. If a peer disagreement happens, this lets us know that something isn't right, because two epistemic peers wouldn't disagree unless one of them had gone wrong in their reasoning somehow. However, some philosophers have argued against Feldman's view by claiming that no two persons ever share all the same evidence, and this slight disparity of evidence accounts for why two peers might disagree. It is claimed that in a peer

¹⁶ One of Feldman's first articles on disagreement was "Plantinga on Exclusivism" (*Faith and Philosophy* 20, no. 1, 2003), where he argued that if a person has some good reasons to believe P, but also knows that other people have equally good reasons for believing things incompatible with P, and the person in question has no reason to discount their reasons and favor her own, then she is not justified in believing P (p. 88).

¹⁷ Feldman, "Respecting the Evidence" (*Philosophical Perspectives* 19, no. 1, 2005), 100.

¹⁸ *Ibid.*, 103.

¹⁹ Feldman, "Reasonable Religious Disagreements," in *Philosophers without Gods: Meditations on Atheism and the Secular Life*, ed. Louise M. Antony (New York, NY: Oxford University Press, 2007), 212.

disagreement each peer will have ‘private evidence’ that the other lacks. Such private evidence might be intuitions, background information, forgotten reasons, or something along these lines. Whatever it is, this private evidence tips the scale in favor of one’s own position in a peer disagreement, thus allowing two disagreeing peers to reasonably stick to their disputed beliefs.²⁰ If there is this private evidence, then Feldman’s claim that peer disagreements count as higher-order evidence won’t go through, since it depends on the idea that peers share their evidence and that there is no evidential disparity between them. Thus, the first question to be dealt with in this thesis will be: does the notion of private evidence overturn Feldman’s claim that peer disagreements are higher-order evidence that count against the justification of the disputed beliefs?

Another objection brought against Feldman’s notion that a peer disagreement is higher-order evidence is this: since reasonable individuals generally evaluate their evidence correctly, the fact that a reasonable individual evaluates the evidence a certain way on a given occasion is higher-order evidence that *that* evidence in fact supports the conclusion he has drawn.²¹ In other words, higher-order evidence makes a difference about what one is justified in believing about one’s *evidence*, but it is not clear that such higher-order evidence has any justificatory impact regarding propositions not about one’s evidence.²²

According to Feldman, a peer disagreement is higher-order evidence that should lead one to reduce his confidence (or suspend judgment) in his disputed belief that *p*. But if the above claims about higher-order evidence are correct, then a peer disagreement doesn’t provide one

²⁰ Feldman, “Epistemological Puzzles about Disagreement,” in *Epistemology Futures*, ed. Stephen Hetherington (New York, NY: Oxford University Press, 2006), 223.

²¹ Jonathan Matheson, “Conciliatory Views of Disagreement and Higher-Order Evidence” (*Episteme* 6, no. 3, 2009), 271.

²² *Ibid.*

with higher-order evidence regarding p itself; rather, it merely provides one with higher-order evidence about the character of one's first-order evidence.²³ Thus, Feldman shouldn't say that a peer disagreement is higher-order evidence showing that one's disputed belief is unjustified and should be suspended. Instead, he should say that a peer disagreement is higher-order evidence about the status of the disagreeing peers' first-order evidence, and this acknowledgement wouldn't necessarily imply that the disagreeing individuals need to respond by suspending belief. Thus, the second question to be dealt with is this: if higher-order evidence is only evidence about the character of one's first-order evidence, and not about the legitimacy of the *belief* that an individual has formed based on the first-order evidence, is Feldman justified in claiming that a peer disagreement is higher-order evidence that compels individuals to suspend their beliefs based on their first-order evidence?

Finally, some object that even if a peer's disagreement counts as higher-order evidence bearing on the justification of one's disputed belief, it doesn't follow that suspension of belief would be the mandated response. The line of thought motivating this criticism is that when a person is confident that his first-order evidence supports his belief that p , finding out that his peer disagrees doesn't render the original first-order evidence irrelevant. If one's belief that p was justified based on one's first-order evidence, then it is likely that, in some cases, one's belief that p will continue to be justified, even when we add the higher-order evidence of disagreement to the original first-order evidence. So the third question we will look at is: even if it is granted that a peer's disagreement is higher-order evidence bearing on the reasonableness of one's disputed belief itself, why should we think that the first-order evidence becomes no longer relevant and that the justification it originally provided for one's disputed belief vanishes?

²³ Ibid., 272.

These will be the central questions in my analysis of Feldman's position.

The Importance of Disagreement

The conclusion Feldman draws from his consideration of disagreement is, in a sense, skeptical. But it is not like the old and well-known skeptical conclusions with which epistemologists have battled time and again. The traditional battle with skepticism has to do with worries over whether it is possible for us to know about the existence and nature of things in the external world, or whether we can know about the future, or whether we can know about the past.²⁴ Feldman looks at a different kind of skepticism, though – a kind that is less sweeping and, in a way, less remote from real world concerns than the more traditional kinds of skepticism. It is a familiar fact that there is widespread and robust disagreement about many of the most important issues in our intellectual lives. This is certainly true in philosophy. There is similar disagreement about religious matters, many scientific matters, and many issues of public policy. In each of these areas, informed and intelligent people disagree with one another. The question Feldman raises about disagreements like this concerns the reasonableness of maintaining your point of view in the light of such disagreements. Feldman's conclusion will be that, more often than we might have thought, suspension of judgment is the epistemically proper attitude.²⁵

If this is right, then it follows that in such cases we lack reasonable belief (and so, at least on standard conceptions, knowledge). This is a kind of contingent real-world skepticism that is

²⁴ Feldman, "Epistemological Puzzles about Disagreement," 217.

²⁵ Ibid.

only lately beginning to receive the attention it deserves.²⁶ Thinking about disagreement is important for a few different reasons, and its implications for skepticism is one of them.²⁷

Limits

Disagreement seems to be a problem most perspicuously for evidentialists. Evidentialism is the thesis that a person is justified in believing a proposition if and only if the person's evidence on balance supports that proposition.²⁸ On evidentialism, knowledge and justification are matters of evidential support. The overarching question of this thesis concerns whether a peer's disagreement constitutes a new piece of evidence, or higher-order evidence, that will significantly impact the justification (i.e., evidential support) of the belief one formed before finding out her peer disagrees with her. Accordingly, this thesis will examine how disagreement play's out on an evidentialist understanding of knowledge and justification, and will ignore the implications disagreement might have for externalist accounts of knowledge and justification, like Alvin Goldman's reliabilism or Alvin Plantinga's conception of proper function.

The Claim to be Argued

If the topic of this thesis were put into one sentence, one sentence describing the claim that this thesis seeks to think about, it might be this: a peer's disagreement counts as evidence, evidence that undermines the justification for the belief about which your peer disagrees with

²⁶ Ibid.

²⁷ Traditionally there were two major types of skepticism: Academic skepticism and Pyrrhonian skepticism. Academic (from Plato's academy in ancient Greece) skepticism embodies a positive claim: we do not know there is a reality independent of our own immediate experience. Pyrrhonian (Pyrrho was an ancient skeptic) skepticism is more cautious, though. It does not deny that we have knowledge. Rather, it recommends suspension of judgment. It is the Pyrrhonian suspension of judgment that Feldman has in mind, it seems, when he speaks of the skepticism that results from peer disagreements. (This discussion of Academic and Pyrrhonian skepticism comes from Bernecker and Dretske, *Knowledge: Readings in Contemporary Epistemology*, 301.)

²⁸ Richard Feldman, "Evidentialism, Higher-Order Evidence, and Disagreement" (*Episteme* 6, no. 3, 2009), 294.

you, and the only rational response when you find yourself in such a disagreement is to suspend belief on the disputed matter. This is Feldman's claim. This is the claim that will be evaluated. I will argue that a peer's disagreement should count as evidence that affects the justification of one's disputed belief. I will also contend that the notion of 'private evidence' doesn't successfully overturn Feldman's view, and that the criticisms of Feldman's view regarding the impact of higher-order evidence are wrongheaded as well. Finally, I hope to offer one or two thoughts on Feldman's call for suspending judgment in peer disagreements. Some find the call for suspension troubling, but I don't think it is. Thus, this thesis is really a defense of Feldman's view.

Chapter 1: Feldman's Conciliatory View

Introduction

Peter van Inwagen's 1996 essay "It is Wrong, Always, Everywhere, and for Anyone, to Believe Anything, Upon Insufficient Evidence" has become a classic in the disagreement literature. In this essay van Inwagen reflects on his puzzlement over the fact that both he and David Lewis have protracted and unresolved disagreements over basic philosophical issues, despite the fact that both he and Lewis are equally intelligent philosophers. Van Inwagen asks:

How can I believe (as I do) that free will is incompatible with determinism or that unrealized possibilities are not physical objects or that human beings are not four-dimensional things extended in time as well as in space, when David Lewis – a philosopher of truly formidable intelligence and insight and ability – rejects these things I believe and is already aware of and understands perfectly every argument that I could produce in their defense?²⁹

Van Inwagen's question here has been the fodder for a good bit of thinking aimed at tackling the problem of disagreement. But even after more than ten years have passed since van Inwagen first asked this question, he still confesses that he's perplexed by the problem of disagreement. In his 2010 essay "We're Right, They're Wrong" van Inwagen discusses the puzzles that disagreement continues to pose. At the end of this essay van Inwagen says that he is unable to give up many of his disputed beliefs, even though he knows that philosophers just as intelligent as himself disagree with his views. He is unable to accept the general conciliatory view that his disputed beliefs become less justified (because of disagreement) and that they need to be revised. And yet, while he is unable to give up his disputed beliefs, van Inwagen says, regarding the conciliatory

²⁹ Van Inwagen, "It is Wrong, Always, Everywhere, and for Anyone, to Believe Anything, Upon Insufficient Evidence," in *Faith, Freedom, and Rationality: Philosophy of Religion Today*, eds. Jeff Jordan and Daniel Howard-Snyder (Lanham, MD: Rowman & Littlefield, 1996), 138.

arguments for why his disputed beliefs are unjustified and need to be revised, “I am unable to answer them.”³⁰

In the following explication of Richard Feldman’s view on disagreement – a conciliatory view – it is hoped that at least one or two of the reasons for why belief must be revised in peer disagreements, and that van Inwagen finds so unanswerable, will be brought into the light.

Evidentialism and Disagreement

Hume famously said that a wise man proportions his belief to the evidence. One can, perhaps, infer that Hume would also say that a wise man proportions his disbelief and his suspension of belief to the evidence, if called for, as well. It seems that no epistemological position has evidence more central to it than evidentialism.³¹ Evidentialism is the view that the epistemic justification of a belief is determined by the quality of the believer's evidence for the belief.³² Evidentialism, at a minimum, says two things:

- E1 Whether one is justified in believing *p* depends on one’s evidence regarding *p*.
- E2 One’s evidence consists of one’s mental states.³³

We might call these the central principles of evidentialism regarding justification and evidence. According to Earl Conee and Richard Feldman, evidentialism is primarily a thesis about the nature of epistemic justification and secondarily a thesis about the nature of knowledge.³⁴ The primary thesis holds that epistemic justification is a function of evidence: a person’s doxastic

³⁰ van Inwagen, “We’re Right, They’re Wrong,” in *Disagreement*, eds. Richard Feldman and Ted A. Warfield (New York, NY: Oxford University Press, 2010), 28.

³¹ Trent Dougherty (ed.), *Evidentialism and Its Discontents* (Oxford: Oxford University Press, 2011), 6.

³² Earl Conee and Richard Feldman, “Evidentialism,” in *Evidentialism: Essays in Epistemology*, eds. Earl Conee and Richard Feldman (New York, NY: Oxford University Press, 2004), 83.

³³ Matthias Steup, “Epistemology,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, 2014: URL = <<http://plato.stanford.edu/archives/spr2014/entries/epistemology/>>.

³⁴ Conee and Feldman, “Some Virtues of Evidentialism” (*Veritas* 50, no. 4, 2005), 95.

attitudes are epistemically justified if and only if they fit the evidence that the person has. The evidentialist thesis about knowledge is that justification, understood in evidentialist terms, is necessary for knowledge.³⁵ In this discussion it is the evidentialist thesis about the nature of justification that will concern us for the most part.

The first central principle of evidentialism (E1 above) says that whether one is justified in believing some proposition depends on one's evidence regarding that proposition. Belief, however, is only one doxastic attitude one can take toward some proposition. One may disbelieve the proposition in question. Or one may suspend judgment on it entirely. In order to include all the doxastic attitudes one might take toward some proposition, we can more thoroughly state the evidentialist principle regarding justification as follows:

EJ Doxastic attitude *D* toward proposition *p* is epistemically justified for *S* at *t* if and only if having *D* toward *p* fits the evidence *S* has at *t*.³⁶

Conee and Feldman say that EJ indicates the kind of notion of justification that they take to be characteristically epistemic – a notion that makes justification turn entirely on evidence, rather than on the cognitive capacities of people, or upon the cognitive processes or information-gathering practices that led one to a certain doxastic attitude.³⁷

Conee and Feldman supply three examples that illustrate the application of the notion of justification in EJ. First, when a physiologically normal person under ordinary circumstances looks at a plush green lawn that is directly in front of her in broad daylight, believing that there is something green before her is the attitude toward this proposition that fits her evidence. That is

³⁵ Ibid.

³⁶ Conee and Feldman, "Evidentialism," 83.

³⁷ Ibid.

why the belief is epistemically justified. Second, suspension of judgment is the fitting attitude toward the proposition that an even number of ducks exists, since our evidence makes it equally likely that the number is odd. Neither belief nor disbelief is justified when our evidence is equally balanced. And third, when it comes to the proposition that sugar is sour, our gustatory experience makes disbelief the fitting doxastic attitude. Experiential evidence like this epistemically justifies disbelief.³⁸ Thus, EJ asserts that the epistemic justification of an attitude depends only on evidence in this way.

What is evidence, though? The second key principle of evidentialism (E2 above) says that one's evidence consists of one's mental states. Trent Dougherty explains that this is so because if evidence consists in signs or indications of the way the world is, then ultimate evidence must come in the form of mental states with a certain kind of content.³⁹ "The phenomenal content of mental states is what gives a mental state the kind of character to indicate to a person that something is thus-and-such," says Dougherty. Because of this, it seems only mental states can serve as evidence in the relevant sense: ultimate indicators of the way the world is ('ultimate' in the sense that our experiences in the form of mental states are the only window on the world we have).⁴⁰

Thus, evidentialism restricts a person's evidence to the person's mental states. Conee and Feldman point out that evidence in this sense is closely identified with reasons: the evidence one has consists in the reasons one has to go on in forming beliefs.⁴¹ These reasons include current

³⁸ Ibid., 83-84.

³⁹ Dougherty, *Evidentialism and Its Discontents*, 4.

⁴⁰ Ibid.

⁴¹ Conee and Feldman, "Some Virtues of Evidentialism," 96.

experiential states, like those involved in perception, introspection, and occurrent memory. The experiential states that are the result of *a priori* reasoning can serve as evidence as well. Stored memories might also serve as evidence (though it may be difficult to specify which count as evidence).⁴² Conee and Feldman go on to explain that the word “reasons” is sometimes taken to apply only to believed propositions, not to the sorts of states just mentioned. But in their view, believed propositions need evidential support to serve as evidence.⁴³

In its fundamental form, then, evidentialism is a supervenience thesis according to which facts about whether or not a person is justified in believing a proposition supervene on facts describing the evidence that the person has.⁴⁴ If a person has good evidence for believing some proposition, then that person is justified in believing it – he has an epistemic right to hold that belief. How would an evidentialist look at the problem peer disagreement poses for the justification of disputed beliefs? Feldman says that the evidentialist view about disagreement is quite simple: “people are justified in believing what their evidence supports when they are involved in a disagreement.”⁴⁵ Consider a person who believes *p* and learns that someone relevantly like himself (an epistemic peer) disbelieves *p*. The evidentialist view is that the person is justified in continuing to believe *p* if and only if the evidence the person has after learning of the disagreement on balance supports *p*. The person is justified in ceasing to believe *p* if and only if the evidence the person has after learning of the disagreement on balance does not support *p*.⁴⁶

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Conee and Feldman, “Introduction,” in *Evidentialism: Essays in Epistemology*, 1.

⁴⁵ Feldman, “Evidentialism, Higher-Order Evidence, and Disagreement” (*Episteme* 6, no. 3, 2009), 294.

⁴⁶ Ibid., 294-295.

This much is trivially true, it seems, and all the philosophers who have worked on the problem of disagreement would agree with this sketch so far. The sticky issue is determining just how much of an evidential impact a peer's disagreement has on a person's disputed belief. Feldman, who espouses a conciliatory view on disagreement, thinks that evidence of peer disagreement is often "significant evidence against one's own view."⁴⁷ To see why Feldman thinks a peer's disagreement constitutes such counterevidence to one's own view, we must look at the concept of higher-order evidence.

Higher-Order Evidence

Higher-order evidence is evidence about the existence, merits, or significance of a body of evidence.⁴⁸ (The term 'higher-order' may be used interchangeably with 'second-order'.) One example of higher-order evidence would be evidence that someone has unspecified evidence supporting some proposition. For instance, if someone tells you, "Jones has some evidence supporting P, but I don't know what it is," then you have some evidence about the existence of evidence for P.⁴⁹ A second case of higher-order evidence is evidence that another person has a certain sort of evidence, you do know what it is, but you do not have the evidence yourself. Suppose someone looking at an object reports, "It looks blue to me." You do not have any visual evidence that the object is blue, but you have some evidence about the existence of the other person's visual evidence.⁵⁰ A third case of higher-order evidence is the evidence one obtains

⁴⁷ Ibid., 295.

⁴⁸ Ibid., 304.

⁴⁹ Ibid.

⁵⁰ Ibid.

when one learns how someone else assesses a body of evidence – what that person thinks it supports.

A good bit of the controversy about peer disagreements turns on points about the epistemological significance of higher-order evidence. To illustrate how higher-order evidence plays into disagreement, Feldman distinguishes between three types of cases of disagreement:

- i. Evidential significance disagreements: disagreements in which the participants disagree about the significance or evidential impact of a body of evidence.
- ii. Unspecified evidence disagreements: disagreements in which one learns that another person has some unspecified evidence supporting a belief competing with one's own belief.
- iii. Specified evidence disagreements: disagreements in which one learns that another person has some specific evidence supporting a belief competing with one's own belief (but does not acquire the person's evidence).⁵¹

Feldman says that evidential significance disagreements introduce a kind of puzzle that the latter two do not. The latter two disagreement cases are about how to weigh various bits and pieces of competing evidence.⁵² Evidential significance disagreements, however, introduce a different sort of issue. To Feldman, evidential significance disagreements are more puzzling than the others, and the second-order aspect is more significant. The central fact here is that the first-order evidence may actually support a proposition, and the disagreement provides evidence that the first-order evidence *does not* support that proposition. The question that then arises is what to make of the total evidence in such cases, says Feldman.

What impact does higher-order evidence about the merits of one's first-order evidence have on the epistemic status of one's first-order *beliefs*, exactly? To answer this question,

⁵¹ Ibid., 305.

⁵² Ibid.

Feldman introduces the concept of ‘levels incongruity’. This concept can be characterized as follows:

Levels Incongruity: believing P while believing that your evidence does not support P, or believing P while considering the proposition that your evidence supports P and suspending judgment on that proposition.⁵³

The key issue with levels incongruity is whether these combinations of attitudes can be justified. Feldman thinks that this issue is brought into sharpest relief by consideration of cases in which one’s first-order evidence actually supports P, one believes P, and then one gets what would appear to be good reasons to doubt that the first-order evidence supports P. An example of this would be a case in which a valued and trusted peer makes a convincing case that your evidence does not support what you think it does. Feldman says that there are three views one might have about any such case:

- (1) One is justified in maintaining one’s belief that P and is justified in believing that the first-order evidence does support P (in spite of apparent reasons to the contrary).
- (2) One is justified in maintaining one’s belief that P and also justified in suspending judgment or in disbelieving that the first-order evidence supports P.
- (3) One is *not* justified in maintaining one’s belief that P and is justified in disbelieving or suspending judgment on the proposition that the first-order evidence supports P.⁵⁴

Feldman argues that it seems the only way to defend (1) in a particular case is by arguing that one is somehow automatically justified in believing the truth about the epistemic support relation in question. While one might hold that in certain cases these relations are “transparent” or *a priori* and that this implies that no evidence to the contrary can render one’s belief in such cases

⁵³ Ibid., 307.

⁵⁴ Ibid.

unjustified, this seems implausible. (1) assumes “a kind of impossibility to be led astray, a power that we just don’t have,” claims Feldman.⁵⁵

Solution (2) introduces a kind of Moorean puzzle. While it isn’t logically inconsistent to have the attitudes one has in (2), it seems odd to maintain attitudes that have the kind of levels incongruity this implies. This view appears to imply that reflection on epistemic support relations has no impact on the justification of one’s first-order beliefs in these cases. But Feldman thinks this isolation of levels is a clear mistake. There would be something strange about criticizing a person who justifiably believes that his evidence does not support a proposition for not believing that proposition.⁵⁶

This leaves response (3). Feldman thinks (3) is a plausible response in those cases in which the evidence does make disbelieving or suspending judgment on the evidential support proposition reasonable. To defend (3) as the right response does not imply that it is reasonable to disbelieve or suspend judgment simply because a peer asserts that one’s own assessment of the evidence is incorrect. It may be that whatever evidence comes from one’s own reflection on the topic often carries more evidential weight. And (3) does not amount to arguing that the original evidence should be ignored. The idea isn’t that one has to weigh the original evidence supporting the proposition against the higher-order evidence that goes against the proposition. Rather, the higher-order evidence serves as a *defeater* of the original evidence, in the sense that the conjunction of the original evidence and the higher-order evidence fails to support the proposition. Thus, Feldman concludes that evidence that one is in an evidential significance

⁵⁵ Ibid.

⁵⁶ Ibid., 307-308.

disagreement with a peer does provide significant evidence that will, in general, undermine a belief that is in fact supported by one's original first-order evidence.⁵⁷

Epistemic Peerhood

We concluded in the previous section that a trusted peer's disagreement constitutes some evidence against one's own view. More exactly, a peer's disagreement provides significant evidence that can undermine one's own belief. Why is a peer's disagreement judged to be so significant? To answer this question we must discuss the notion of epistemic peerhood. In the literature on peer disagreement the concept of "epistemic peerhood" plays a central role. In an attempt to regiment the philosophical discussion of disagreement, those addressing this epistemological issue usually assume that the agents in question are peers in a specific semi-technical sense.⁵⁸ In the stipulative sense of "peer" that has been introduced in this discussion, peers literally share all evidence and are equal with respect to their abilities and dispositions relevant to interpreting that evidence.⁵⁹ This idealization of epistemic peerhood is useful for helping us to think about a large number of the cases that motivate reflection on the epistemology of peer disagreement. Of course, in actual cases there will rarely be exact equality of evidence and abilities, though.

Since it is granted that no two actual peers ever meet this idealized standard of epistemic peerhood, philosophers have typically said that epistemic peers are, from a more realistic perspective, two persons who are acquainted with the available pertinent evidence and arguments

⁵⁷ Ibid., 308.

⁵⁸ Richard Feldman and Ted A. Warfield (eds.), *Disagreement* (New York, NY: Oxford University Press, 2010), 2.

⁵⁹ Ibid.

to roughly the same extent, and possess similar cognitive virtues or skills.⁶⁰ David Christensen defines an epistemic peer as someone who you have good reason to think is as intelligent and rational as yourself, and you have no general reason to think that either of you is especially likely to be good or bad at reacting to evidence on the particular matter at hand.⁶¹ Feldman defines epistemic peers as individuals who are roughly equal with respect to intelligence, reasoning powers, background information, and so on.⁶²

Thus, while we have an idealized notion of what an epistemic peer is, we do not have a precise notion of what a real-life epistemic peer is. But a precise definition isn't necessarily needed. To say that a peer is one who shares roughly the same evidence and intellectual abilities is sufficient for a discussion of the evidential impact of a peer disagreement. This is why Feldman says that "in any realistic case, when we encounter someone who is more or less like us, disagreement will have some evidential impact, and how much impact it will have will depend upon the details of the situation."⁶³ What really matters, ultimately, is how credible the person is on the topic of the disagreement.⁶⁴

Since in peer disagreements an epistemic peer is someone just as good as oneself in the relevant respects, it seems one must take his disagreeing peer's opinion quite seriously. After all, when peers disagree we know that at least one of them is mistaken (or both are), but we don't

⁶⁰ Diego E. Machuca, "Editor's Introduction," in *Disagreement and Skepticism*, ed. Diego E. Machuca (New York, NY: Routledge, 2013), 3.

⁶¹ Christensen, "Epistemology of Disagreement: The Good News" (*The Philosophical Review* 116, no. 2, 2007), 188-189.

⁶² Feldman, "Reasonable Religious Disagreements," in *Philosophers without Gods: Meditations on Atheism and Secular Life*, ed. by Louise M. Antony (Oxford: Oxford University Press, 2007), 201.

⁶³ Feldman, "Evidentialism, Higher-Order Evidence, and Disagreement," 300.

⁶⁴ *Ibid.*

know which, since both are equally likely to have correct or justified beliefs – both are on a par with one another intellectually.⁶⁵ This is why a peer’s disagreement constitutes evidence that impacts the justification of one’s own view. A disagreeing peer’s report constitutes testimonial evidence about what it is reasonable for one to believe.

The Appeal to Symmetry

Given how peers are roughly equals intellectually, a key characteristic of peer disagreements surfaces at this point: namely, symmetry. In a peer disagreement, the participants should realize that for each thing one of them can say in support of his view, the other can say something analogous in support of the other view.⁶⁶ To stick to one’s guns in such a disagreement is to fail to treat like cases alike. “It is a violation of what I take to be a clear condition for rational belief,” says Feldman.⁶⁷ The violation of the requirement to treat like cases alike might be clarified in the following way. Consider the perspective of a neutral third person observing a peer disagreement. That person might see the argument as a draw, with considerations on each side that balance each other out. It is hard to see why what is justified for a participant in the disagreement differs at all from what is justified for this observer. Compare a case in which you have competing testimony from two experts and you reasonably suspend judgment about the matter in question. It is hard to see why one of the experts would be justified in sticking to his view simply because it is his view.⁶⁸

⁶⁵ Trent Dougherty, “Dealing with Disagreement from the First-Person Perspective,” in *Disagreement and Skepticism*, ed. Diego E. Machuca (New York, NY: Routledge, 2013), 218.

⁶⁶ Feldman, “Respecting the Evidence” (*Philosophical Perspectives* 19, no. 1, 2005), 116.

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

Thus, in peer disagreements where the peers are both just as sensible, serious, and careful in evaluating the arguments and evidence, where there are not any evident asymmetries between them, it seems it would be unreasonable to say that the point of view of one peer on the matter is somehow privileged, such that he can rationally continue holding his belief despite his peer's disagreement.⁶⁹ If we are to take a peer's disagreement seriously, then we must acknowledge that a peer's disagreement counts against our own view. It is for these reasons that Feldman concludes that a peer's disagreement is higher-order evidence that undermines the justification for both the original object level conclusion (i.e., one's original belief before finding out one's peer disagreed) and for the proposition that the first-order evidence supports that conclusion.⁷⁰

Conclusion: Respect the Evidence and Suspend Judgment

If a peer's disagreement undermines the justification of one's disputed belief, then what is the rational response one should take when he finds himself in such a disagreement? Feldman's answer is that one must respect the evidence. Perhaps one's first-order evidence seems to support the belief that *p*. But learning that one's peer disbelieves that *p* is higher-order evidence that undercuts one's justification for believing that *p*.⁷¹ Because of this, the original belief that *p* is no longer justified. To respect the evidence in cases like this is to acknowledge that one's disputed belief is no longer justified – one no longer has a right to hold it.

⁶⁹ Feldman, "Epistemological Puzzles about Disagreement," in *Epistemology Futures*, ed. Stephen Hetherington (New York, NY: Oxford University Press, 2006), 235.

⁷⁰ Feldman, "Respecting the Evidence," 103.

⁷¹ In this sense, a peer's disagreement functions as an undercutting defeater. In *Contemporary Theories of Knowledge* (Totowa, NJ: Rowman & Littlefield, 1986) John Pollock identifies two kinds of defeaters: rebutting defeaters and undercutting defeaters. When one has evidence that a proposition is true and then gets stronger evidence indicating that the proposition is in fact false, one gets a rebutting defeater. Rebutting defeaters are simply counter-evidence – evidence against the proposition supported by one's original evidence. Undercutting defeaters are not evidence that the proposition is false; rather, they attack the connection between the evidence and the conclusion (Pollock, 39). A peer's disagreement seems to function as an undercutting defeater of one's disputed belief in this way, since a peer's disagreement undercuts one's original justification for holding the disputed belief.

When you find yourself in the place where your disputed belief is no longer justified, it seems a kind of compromise with your disagreeing peer is in order – rationality would tell us that some kind of conciliation needs to happen. The compromise Feldman calls for is suspension of belief. The considerations of higher-order evidence and the symmetry present in peer disagreements should lead us to recognize that giving up one’s belief – suspending judgment – is the proper response called for. Suspending belief in this way is a kind of epistemic modesty in response to disagreement with one’s peers. And it is also a kind of skepticism, in the limited sense that it denies the existence of reasonable or justified beliefs in cases of peer disagreement.⁷² Feldman concludes that his view on disagreement, which calls for suspending judgment, implies that “we may have less knowledge, or fewer justified beliefs, than we might have otherwise thought. It seems to have the discouraging implication that thinking about epistemology, and conversing with intelligent people who disagree with us, can undermine the justification we have for our beliefs. On reflection, however, that result strikes me as being exactly right.”⁷³

⁷² Feldman, “Reasonable Religious Disagreements,” 213.

⁷³ Feldman, “Respecting the Evidence,” 117.

Chapter 2: Objections to Feldman's Position

Introduction

In his *Discourse on Method*, Descartes said, “The diversity of our opinions . . . does not arise from some being endowed with a larger share of reason than others, but solely from this, that we conduct our thoughts along different ways, and do not fix our attention on the same objects.”⁷⁴ Descartes’ observation seems to lend support to the idea that there can be reasonable disagreements. Two persons *reasonably disagree* about a proposition when they disagree about that proposition, and they are reasonable, or justified, in their differing doxastic attitudes toward that proposition; two persons have a *reasonable disagreement* about a proposition when they reasonably disagree about that proposition, and it is mutual knowledge between them that they disagree about that proposition.⁷⁵

Richard Feldman doesn’t think that epistemic peers can have reasonable disagreements. He says, “[I]t cannot be that epistemic peers who have shared their evidence can reasonably come to different conclusions.”⁷⁶ This is because when two peers who are equally intelligent and competent disagree, it signals that one of them must be making some kind of mistake or failing to see some truth. At least one of them has an unjustified belief, or an unreasonable belief, not supported by the available evidence. Since the disagreeing peers can’t tell which of them has the unjustified belief, both should suspend judgment on the matter.

In this chapter we will consider two objections to Feldman’s view. The first turns on the idea of private evidence; the second on how to properly understand the impact of higher-order

⁷⁴ Descartes, *Discourse on Method* (New York, NY: Barnes & Noble, Inc., 2004), 3.

⁷⁵ Graham Oppy, “Disagreement” (*International Journal for Philosophy of Religion* 68, no. 1, 2010), 187.

⁷⁶ Feldman, “Reasonable Religious Disagreements,” in *Philosophers without Gods: Meditations on Atheism and the Secular Life*, ed. Louise M. Antony (New York, NY: Oxford University Press, 2007), 213.

evidence. The aim of both objections is to show that epistemic peers can have reasonable disagreements, contra Feldman. We turn to a discussion of these objections next.

The Objection from Private Evidence

According to Feldman, peer disagreements can be divided into two stages. The first stage is *isolation*.⁷⁷ In this stage, two peers have examined similar bodies of evidence and, after careful thought, one of them comes to the conclusion that P is true and the other comes to the conclusion that P is not true. To each individual, the conclusion arrived at seems clearly true. At this point the two peers are aware that they disagree, but they haven't discussed their particular reasons that led them to differing conclusions.

The second stage is *full disclosure*.⁷⁸ In this stage, both persons have thoroughly discussed the issues. They know each other's reasons and arguments, and know that the other person has come to a competing conclusion after examining the same evidence.⁷⁹ Even after disclosing their reasons, it often happens that the disagreement persists and remains unresolved. The stage of full disclosure is most important. Feldman argues that if the peers still disagree after full disclosure, then the only reasonable thing is for them to suspend judgment.

In his chapter "The Epistemology of Disagreement" in a recent volume on social epistemology, Ernest Sosa says that he agrees with Feldman about this. *If full disclosure takes*

⁷⁷ Richard Feldman, "Epistemological Puzzles about Disagreement," in *Epistemology Futures*, ed. Stephen Hetherington (New York, NY: Oxford University Press, 2006), 220.

⁷⁸ *Ibid.*

⁷⁹ Feldman explains that there are intermediate situations in which the various pieces of evidence and the arguments are partially shared. Indeed, almost any realistic disagreement is somewhere between isolation and full disclosure. Nonetheless, it's still useful to think about the extreme situations. For Feldman's discussion of this see "Epistemological Puzzles about Disagreement," 219-220.

place and the disagreement persists, then both parties need to withhold belief.⁸⁰ But Sosa isn't quick to agree that full disclosure truly takes place in peer disagreements. One thing in particular hinders the full disclosure condition from being satisfied: namely, the presence of private evidence.

Some philosophers, like Sosa, argue that there are two important types of evidence at work in peer disagreements: public evidence and private evidence.⁸¹ Distinguishing between these two types of evidence is necessary in thinking about whether a person can reasonably sustain his disputed belief in a peer disagreement. Public evidence is evidence that is available to all persons involved in the dispute. While public evidence is important, the final judgments made by each participant in a disagreement are not based solely on this public evidence. Such judgments are based also on personal beliefs to which only each participant has access, i.e., private evidence.⁸²

Sosa speaks of private evidence as a reason or set of reasons an individual possesses that cannot be expounded or explicated fully – either to the individual himself or to someone else – because those reasons are too extensive or complex. Private evidence is inscrutable, or sufficiently hard to uncover (for whatever reason), or too subtle to be noticed and detailed fully.⁸³ Why is it that one's reasons might be hidden in this way? Sosa argues that many of our

⁸⁰ Sosa, "The Epistemology of Disagreement," in *Social Epistemology*, eds. Adrian Haddock, Alan Miller, and Duncan Pritchard (Oxford: Oxford University Press, 2010), 278.

⁸¹ Peter van Inwagen talks about private evidence in terms of 'incommunicable insights' in his essay "It is Wrong, Always, Everywhere, and for Anyone, to Believe Anything, Upon Insufficient Evidence," in *Faith, Freedom, and Rationality: Philosophy of Religion Today*, eds. Jeff Jordan and Daniel Howard-Snyder (Lanham, MD: Rowman & Littlefield, 1996), 137-153.

⁸² David Basinger, "Religious Diversity (Pluralism)," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, 2015: URL = <<http://plato.stanford.edu/archives/fall2015/entries/religious-pluralism/>>.

⁸³ Sosa, "The Epistemology of Disagreement," 288, 290.

reasons that originally justified our currently held beliefs are far removed in our past, or deeply lodged in our subconscious, and so cannot be uncovered for critical inspection.⁸⁴ In other words, a good bit of the relevant evidence that an individual possesses (and that justifies his beliefs) is reflectively inaccessible, since it lies in the past and is no longer operative except indirectly through retained beliefs. When our grounding for a belief is complex and temporally extended with the aid of memory in this way, it lies beyond our grasp, beyond our present view.

Speaking about how private evidence influences our beliefs on matters of controversy, Sosa explains:

Our basis for believing as we do on such questions generally fails to be fully formed and operative in one fell swoop. Light dawns gradually over such questions. A belief forms in us over time through the subtle influence of diverse sources. Some are testimonial, others perceptual, others inferential, and so on. The belief might owe importantly to the believer's upbringing, or to later influence by his community. We are social beings and do well, socially *and* intellectually, to rely on such influence by our social and intellectual communities. Such proper reliance over time on divergent communities might thus help explain how disagreement can be reasonable.⁸⁵

Thus, the reasons why we believe as we do are often not transparent to us and cannot be made fully transparent to us by any amount of further inquiry, since the evidence that supports the formation of our beliefs is progressively discarded or otherwise forgotten.⁸⁶ Given these considerations about the inscrutability of reasons and evidence, does it provide us with good reason to think Feldman's full disclosure requirement is unrealistic or wrongheaded? Sosa thinks it does. If each party to a disagreement has private evidence that cannot be disclosed, then two disagreeing peers will actually have *two different sets of evidence*. Their shared public evidence

⁸⁴ Ibid., 291-292.

⁸⁵ Ibid., 290.

⁸⁶ Oppy, "Disagreement," 195.

will be the same, but their private reasons justifying their conflicting conclusions will be different, thus making it possible for epistemic peers to have reasonable disagreements.

Perhaps one might find it odd that a set of inscrutable reasons can justify a person's belief about something. To further explicate the concept of private evidence and defend his use of it in disagreements, Sosa appeals to G.E. Moore's disagreement with the skeptic, which will be the subject of the next section.

The Moorean Analogue

In his 1939 paper "Proof of an External World" G.E. Moore attempted to demonstrate that there is a world of external objects. Moore argued that he could prove the existence of two human hands by holding up both his hands and saying "here is one hand" and "here is another." This proves the existence of external objects. The skeptic, however, would disagree with Moore's conclusion. There are two points over which Moore and the skeptic disagree. The first disagreement concerns whether Moore can know there is a hand before him. Moore argues that he does know this, while the skeptic denies he can know this. The skeptic claims that Moore cannot know this because Moore cannot rule out the possibility that he might be dreaming.

The question of whether Moore might be dreaming is the second disagreement. Moore responds to this charge by saying he knows he's not dreaming because he knows about the existence of the hand. So Moore's rejection of the skeptic's side on this second disagreement about dreaming is based on his insistence that he is right in the first disagreement about the hand.⁸⁷ Sosa says Moore "bases his rejection, in other words, precisely on insisting that he is right in the earlier disagreement and the sceptic wrong."⁸⁸ In both the disagreements Moore has

⁸⁷ Sosa, "The Epistemology of Disagreement," 288. Sosa says that Moore begs the question here, whether properly or improperly.

⁸⁸ Ibid.

with the skeptic, Moore insists on his conclusions by downgrading the skeptic's judgment. Moore thinks that the skeptic must be going wrong *somehow*, since it is more certain that he, Moore, does know about his hand and the fact that he's not dreaming than is anything the skeptic can adduce against those facts. Is Moore justified in responding to the skeptic this way? That depends on whether private evidence is at work in the disagreement between Moore and the skeptic.

Note that Moore doesn't reject the skeptic's view because Moore thinks it's *obvious* or a self-evident truth that he is awake and not dreaming, so that he needs no ulterior reasons for so believing. On the contrary, Sosa says that Moore is quite explicit that it is only based on conclusive reasons that he knows himself to be awake and not dreaming.⁸⁹ However, Moore claims that he cannot expound those reasons fully, perhaps because they are too extensive and complex. And Moore's reasons are said to constitute 'conclusive evidence' for believing that he is awake and not dreaming despite his inability to expound them. Thus, Moore cannot cite his reasons to an opponent or lay them out one by one, but he thinks his reasons for believing as he does are conclusive nonetheless.

Moore doesn't explain what he might include in such conclusive evidence. Sosa thinks that one might reasonably attribute to Moore considerations of the sort that seem compelling to Descartes and J.L. Austin. For Descartes, wakeful experience has a kind of coherence that distinguishes it from dreams; for Austin, dreams have a dream-like quality that makes for a similar distinction. Regarding these considerations, Sosa says:

Indeed, the distinctions are at bottom the same if what underlies the dream-like quality is just the absence of the coherence that for Descartes distinguishes our wakeful consciousness (often enough, at least when rich enough). Any case of wakeful experience rich enough to have Descartes's coherence and to avoid Austin's dreaminess, would be

⁸⁹ Ibid.

constituted specifically by some complex stream of consciousness composed of elements that dovetail appropriately with others in the same time slice and also with preceding and succeeding elements. Each such fact of dovetailing presumably contributes to the coherence of the stream of consciousness, and may constitute a ‘reason’ which, when combined with all the others, provides a conclusive justifying basis for the subject’s belief that he is then awake. Each is thus operative as a partial basis for that belief, but Moore apparently believes that this does not require the subject’s ability to detail each separately, so as to enable a proof that he could cite to himself or to others.⁹⁰

If the above considerations are right, then Moore does know - based on evidence in his possession that cannot, perhaps, be fully expounded – that he is awake and not dreaming, despite the skeptic’s disagreement.

Sosa argues that Moore’s disagreement with the skeptic is helpful for thinking about cases of peer disagreement. In Moore’s case, he is unsure of having fully expounded his evidence, but he takes his evidence to be sufficient to justify his belief in an external world and to justify his belief that he is awake and not dreaming. Moore thinks his ‘conclusive reasons’ are more epistemically weighty than the skeptic’s disagreement, even though those reasons cannot be fully disclosed. Similarly, in peer disagreements the evidence on which the parties base belief in their side of the controversy is often inscrutable, or at least sufficiently hard to uncover. If the evidence is this way, at least in part, then it cannot be displayed for reflection on how well it supports the content of the disagreeing peers’ beliefs.⁹¹

Why some of the evidence in peer disagreements might be private or inscrutable recalls Moore’s example, where even though the evidence may be right there in one’s present conscious experience or remembered directly from one’s recent experience, it is too subtle or too complex to be noticed and detailed fully. While the relevant past experiences that prompted and grounded one’s beliefs were originally in one’s conscious awareness, those justifying grounds eventually

⁹⁰ Ibid., 289.

⁹¹ Ibid., 290.

slip out of sight. Then one's beliefs based on those grounds are kept in place through the proper operation of retentive memory, while the grounds are not. It is this latter time- and memory-involving rational basis that need not now be present to our reflective gaze in order to do its proper epistemic work. Because of this, Sosa says, "The idea that we can always or even often spot our operative 'evidence' for examination is a myth."⁹²

Thus, in peer disputes the disagreeing peers are in the position that Moore takes himself to be in with the skeptic. In the case of the disagreeing peers, each have their own reasons (in their case through the mediation of retentive memory) that, acting in concert, across time, have motivated their present beliefs. But they are in no position to detail these reasons fully. And this may be so, as Moore also thought, even in cases where the reasons, in combination, are quite conclusive.

Upshot: Reasonable Peer Disagreements

Sosa thinks that Moore's case illustrates the idea that one's belief may be epistemically justified even though one is unable to cite the reasons that ground that belief to others, or even to oneself. There are two implications and one qualification that Sosa draws from this conclusion.

First, if private evidence plays the role that Sosa (and Moore) thinks it does in disagreements, then this implies that an individual may justifiably downgrade his peer in a disagreement. To downgrade a peer is just to think that one's peer must be going wrong *somehow* on that *particular* issue. Since it will be relatively rare for two disagreeing peers to be able to fully disclose their reasons and evidence, then neither peer is privy to the backing for their opponent's contrary belief – *not fully*, anyways. So each peer might be quite reasonably confident of the competence that they themselves exercise on the disputed issue, while they

⁹² Ibid., 291.

won't be as confident that their peer is exercising the same level of competence. Thus, because of the private evidence each peer possesses, they have reason to give greater weight to their own opinion than they do to their peer's. This is why they might properly downgrade their opponent based essentially on the substance of their disagreement.⁹³

The second implication of the presence of private evidence in peer disagreements is that reasonable peer disagreements are possible. Recall that Feldman claimed, and Sosa agreed, that two peers can't both be justified in their disputed beliefs in a peer disagreement – i.e., reasonably disagree – if full disclosure takes place. But Sosa's emphasis on the importance of hidden reasons shows that, as in Moore's case, our ability to fully disclose our reasons may be quite limited. This in turn implies that even if reasonable disagreement with full disclosure is impossible, this has little bearing on the possibility of reasonable peer disagreements, since full disclosure might be difficult and rare.⁹⁴ In any realistic peer disagreement then, two peers will have different bodies of evidence, even if the difference is only slight. Part of each peer's body of evidence will not be open to inspection. This evidential disparity is sufficient, Sosa argues, to make room for reasonable peer disagreement.⁹⁵

⁹³ Ibid., 295.

⁹⁴ Ibid., 292.

⁹⁵ The significance of evidential disparity is this: two different bodies of evidence can point in two different directions. Suppose one person has set of evidence A, and that set of evidence justifies the belief that P is true. But suppose another person has set of evidence B, and that set of evidence justifies the belief that P is not true. While these conflicting beliefs about P cannot both be correct, they can both be rational, reasonable. Compare this with a case in which two individuals share the same body of evidence. Some writers on disagreement, like Feldman, hold to the notion that a body of evidence cannot point in two directions at once. This notion has been called 'The Uniqueness Thesis' by Feldman. It is the idea that a body of evidence justifies at most one proposition out of a competing set of propositions (e.g., one theory out of multiple exclusive alternatives), and that it justifies at most one attitude toward any particular proposition. So if two persons draw conflicting conclusions from the same set of evidence, then at least one of those conclusions is unreasonable or unjustified. Sosa takes his objection from private evidence to show that in peer disagreements the parties don't share the exact same body of evidence, and so their conflicting beliefs can both be reasonable.

The evidential disparity in peer disagreements caused by private evidence further implies that disagreeing peers aren't intellectual peers in a robust sense at all, since they don't share the same body of evidence. If two supposed peers aren't fully epistemic peers, then Sosa would argue that Feldman can't draw any general conclusions

Lastly, Sosa adds one qualification to his objection from private evidence, namely: in arguing that some of our reasons might be hidden or inscrutable, Sosa isn't endorsing a kind of obscurantism where the only way to defend our ability to take reasonable stances on controversial topics is by removing the topics from the arena of proper debate and critical reflection. Sosa explains, "Even if a controversial view that one upholds is justified by much that is then reflectively inaccessible, this by itself need not free one from full responsibility for providing a supporting rationale."⁹⁶ Sosa isn't clear on what this supporting rationale would look like exactly. But perhaps that's a secondary matter, since the main point Sosa wishes to make is that we shouldn't take his view to imply that our reasons are off limits to critical inspection.

The Objection from Higher-Order Considerations

Feldman argues that a peer's disagreement has an impact on the justificatory status of one's disputed belief. Consider the case in which a person believes that *p* on the basis of her first-order evidence. She then finds out that her epistemic peer disbelieves *p* on the basis of the same first-order evidence. To Feldman, the fact that one's peer disagrees constitutes higher-order evidence that undermines the justification of one's belief that *p*, which was based on the first-order evidence. So, on Feldman's view, second-level information can defeat the initial object-level belief, and it does so in cases of peer disagreement.⁹⁷

Thomas Kelly denies this. In both his 2005 essay "The Epistemic Significance of Disagreement" and his 2010 essay "Peer Disagreement and Higher-Order Evidence," Kelly

about the significance of a peer disagreement. Feldman surely can't argue that a peer's disagreement is significant higher-order evidence that undermines the justification of one's disputed belief. Maybe that's how things go in some disagreements but not in general, according to Sosa.

⁹⁶ Sosa, "The Epistemology of Disagreement," 292.

⁹⁷ Feldman, "Respecting the Evidence" (*Philosophical Perspectives* 19, no. 1, 2005), 116.

outlines what he takes to be the proper conception of higher-order evidence and how higher-order evidence functions in peer disagreements. There are two criticisms that Kelly makes against conciliatory views like Feldman's.⁹⁸ The first is that Feldman misconstrues how higher-order evidence works. The second is that even if higher-order evidence functions the way Feldman claims it does, it wouldn't follow that parties to a peer disagreement need to suspend judgment. Both of these objections come from Kelly's 2005 essay mentioned above. I'll lay out these objections here. In the next chapter, I will note some changes Kelly has made to these objections in his 2010 essay, and I will address both the original and revised objections. Before turning to Kelly's original objections here, I will sketch what he takes to be the proper understanding of higher-order evidence and the role it plays in peer disagreements.

The Backdrop

To Kelly, a piece of higher-order evidence provides one with evidence about what one's evidence supports. While different things can function as higher-order evidence, the type of higher-order evidence that will concern us here is the beliefs of reasonable individuals. In general, we take it that reasonable persons typically respond to their evidence correctly. Given that reasonable individuals are disposed to respond correctly to their evidence, the fact that a reasonable individual responds to her evidence in one way rather than another is itself evidence; it is evidence *about* her evidence.⁹⁹ In other words, the fact that a generally reasonable individual

⁹⁸ Kelly makes these objections to conciliatory views in general, and they are not specifically directed toward Feldman. But since the objections given by Kelly that we are focusing on are directed at those who think disagreement provides a good reason for skepticism or to change one's original view, Feldman is certainly one of the persons Kelly has in mind.

⁹⁹ Kelly, "The Epistemic Significance of Disagreement," in *Oxford Studies in Epistemology: Volume 1*, eds. Tamar Szabo Gendler and John Hawthorne (Oxford: Oxford University Press, 2005), 186.

believes hypothesis H on the basis of evidence E is some evidence that it is reasonable to believe H on the basis of E.

So, the beliefs of a reasonable individual will constitute higher-order evidence, evidence about the character of one's first-order evidence. Such higher-order evidence, like most other evidence, will not be conclusive evidence. For instance, a generally reasonable individual may mistakenly believe H on the basis of E, while, in fact, E does not adequately support H. In that case, the fact that the reasonable individual believes as she does constitutes *misleading* evidence about the character of the evidence E. But in general, the fact that a reasonable person believes H on the basis of E constitutes evidence about the character of E.¹⁰⁰

The existence of such higher-order evidence is important because it works as a corrective, almost. We are fallible with respect to our ability to correctly appreciate our evidence, says Kelly.¹⁰¹ While it's understood that reasonable individuals tend to respond correctly to their evidence, even generally reasonable individuals are susceptible to making mistakes on particular occasions. This is why higher-order evidence is helpful to fallible epistemic agents. It allows one to take a step back from one's first-order evidence and see if the belief based on the first-order evidence is well-founded.

Applying the above considerations to disagreement, Kelly says there are two types of evidence at work in peer disagreements: higher-order evidence and first-order evidence. Kelly speaks of these two types of evidence as 'psychological evidence' and 'non-psychological evidence', respectively. Facts about the distribution of opinion among epistemic peers in a disagreement is the psychological, or higher-order, evidence, and the original evidence on which

¹⁰⁰ Ibid.

¹⁰¹ Ibid., 185.

the peers base their opinions is the non-psychological evidence.¹⁰² Kelly explains that given the general reasonableness of one's epistemic peers, what they believe on the basis of one's shared evidence will constitute evidence about what it is reasonable to believe on the basis of that evidence. While this is the case, Kelly argues that it's not clear how one should integrate these higher-order considerations into one's own deliberations and what difference such considerations make to what it is reasonable for one to believe.¹⁰³

It seems that evidence about one's evidence will make a difference to what it is reasonable for one to believe *about one's evidence*. This is the main function and significance of higher-order evidence, to Kelly – it is to provide a commentary on what it is reasonable for one to believe about one's evidence. However, Kelly doesn't think it's obvious that such higher-order considerations also make a difference to what it is reasonable for one to believe about propositions that are *not* about one's evidence. In particular, Kelly thinks one misuses higher-order evidence when one claims that higher-order information can undermine the justification of an object-level belief that was based on one's first-order evidence. This leads us to Kelly's first objection to Feldman.

A Misuse of Higher-Order Evidence

Kelly's first objection is that Feldman misunderstands the significance and impact of higher-order evidence. To repeat, higher-order evidence is evidence about one's first-order evidence, according to Kelly. When properly understood, higher-order evidence makes a difference regarding what one is justified in believing about one's evidence. To illustrate this,

¹⁰² Kelly, "Peer Disagreement and Higher-Order Evidence," in *Disagreement*, eds. Richard Feldman and Ted A. Warfield (New York, NY: Oxford University Press, 2010), 128.

¹⁰³ Kelly, "The Epistemic Significance of Disagreement," 186.

suppose that two epistemic peers share the same total evidence E with respect to some hypothesis H. Then consider this proposition:

(1) E is good evidence that H is true.

If one peer discovers that the other believes that H on the basis of E, he should treat that discovery as confirming evidence for (1). But should he also treat that discovery as confirming evidence *for H itself*? Conversely, suppose that one peer discovers that the other believes that not-H on the basis of E. This discovery would constitute disconfirming evidence for (1). Would it also constitute a defeater for H?

Kelly would argue that, if one holds to a view like Feldman's, one would answer both of these questions affirmatively. On Feldman's view, a peer's disagreement constitutes evidence that defeats the justification of one's disputed belief which is based on the first-order evidence. However, Kelly thinks this line of thought is misguided. To see Kelly and Feldman's disagreement more sharply, consider the following. Kelly would affirm this definition of higher-order evidence:

(2) Higher-order evidence is simply evidence about one's first-order evidence E.

Feldman, however, would affirm a more encompassing notion of higher-order evidence, namely:

(3) Higher-order evidence is evidence about one's first-order evidence E *and is also* evidence about the reasonableness of one's belief that H based on evidence E.

It is the second conjunct in (3) that Kelly rejects.

Kelly offers two reasons for thinking that we should *not* treat the higher-order evidence for or against (1) that is afforded by one of the peers believing as they do as evidence for or against the reasonableness of believing H itself. Kelly's first reason is the following:

Imagine that I have yet to make up my mind about H: that is, I am in the process of actively deliberating about what attitude I should take up towards the hypothesis. Suppose further that I find that you believe H on the basis of our shared first-order

evidence E. If I treat the fact that you believe as you do as an additional piece of evidence which bears on the truth of H, then, when I enumerate the considerations which tend to confirm H, I will list not only the various first-order considerations that speak in favor of H, but also the fact that you believe that H is true . . . But notice that, when *you* enumerate the reasons why *you* believe that H is true, you will list the various first-order considerations that speak in favor of H – but presumably, *not* the fact that you yourself believe that H is true. From your perspective, the fact that you believe as you do is the *result* of your assessment of the probative force of the first-order evidence: it is not one more piece of evidence to be placed alongside the rest.¹⁰⁴

Kelly's observation here highlights a crucial point about what one counts as evidence. If we were to ask a person why he believes H on the basis of evidence E, he probably wouldn't cite the fact that he believes H as evidence for H. Rather, as Kelly observes, from the person's perspective his belief in H seems to simply be a result of the evidence, not one more piece of it. If the person himself wouldn't count his belief that H as part of his evidence, then his peer shouldn't count it either.¹⁰⁵

Thus, when the individual first came to believe that H on the basis of his initial considerations of the first-order evidence E, he did not then proceed to treat the fact that *he believes that H is true* as a reason to *increase* his confidence that H is true. Rather, he arrived at that level of confidence which he thought appropriate simply given the first-order evidence E.¹⁰⁶ Similarly, if one of the parties to the disagreement subsequently changed his mind and came to doubt that the first-order evidence was sufficient to rationalize his believing H, he would not treat the fact that he originally believed that H as a reason to continue believing it. And so, a peer's belief shouldn't count as higher-order evidence that bears on the justification of one's belief in H.

¹⁰⁴ Ibid., 187.

¹⁰⁵ Jonathan Matheson, "Conciliatory Views of Disagreement and Higher-Order Evidence" (*Episteme* 6, no. 3, 2009), 272. Matheson provides helpful and concise summaries of Kelly's arguments at points, so I refer to Matheson when relevant.

¹⁰⁶ Kelly, "The Epistemic Significance of Disagreement," 187.

Kelly's first reason, then, for why we shouldn't think of someone's believing H as further evidence for H itself is that a person in a peer disagreement who believes H does not treat the fact that he himself believes H as a further reason to believe that H, above and beyond the first-order considerations that the person takes to rationalize his belief.

Kelly's second reason for why we shouldn't think of someone's believing H as further evidence for H itself is this: if we were to count the fact that one believes H as a further piece of evidence supporting H, then this would be to engage in a kind of double-counting. This train of thought is similar to the idea that the fact that one believes H is simply a result of the force of the first-order evidence and not another piece of it.¹⁰⁷ Kelly claims that if we were to count the first-order evidence and one's belief that H is true, we would be counting that first-order evidence twice, since the person's belief that H is true is something like a marker or place-holder for that first-order evidence.¹⁰⁸

This second reason of Kelly's for why we shouldn't think of someone's believing H as further evidence for H is closely related to the first reason. If we suppose that a peer's believing H is further evidence for H, then the other party to this peer disagreement is in the awkward position of treating his peer's belief that H as a reason to believe that H, despite the fact that his peer himself doesn't treat this as an epistemically relevant consideration. Kelly notes that it might make sense for a person to treat his peer's belief in this way if he lacked access to his peer's first-order evidence, since in that case his peer's belief would stand in as a sort of proxy for the evidence on which it is based. But when a person has access to his peer's first-order evidence for H, and he continues to treat the belief that his peer has formed in response to that

¹⁰⁷ Matheson, "Conciliatory Views of Disagreement and Higher-Order Evidence," 273.

¹⁰⁸ Ibid.

evidence as a *further* reason to believe that H, it seems like that person is engaged in double-counting with respect to the relevant evidence.¹⁰⁹

Therefore, Kelly doesn't think that someone's believing (or disbelieving) H should count as further evidence for (or against) H itself, since (i) the person who believes H wouldn't count that as an additional reason supporting H, and (ii) to take one's peer's belief that H as further evidence for H is to engage in a sort of double-counting.

At the very least then, there seems to be a certain oddness in a person giving additional weight to his peer's belief that H is true when the person has already taken into account all of those considerations on which his peer's belief is based, considerations that seem to exhaust the case for H. While Feldman claims that a peer's disagreement is higher-order evidence that undermines the justification of one's disputed belief, Kelly finds this implausible. To think this is to misunderstand the function of higher-order evidence.

First-Order Evidence vs. Higher-Order Evidence

Kelly's second objection to Feldman's position is that, even if we *do* treat the higher-order evidence that is provided by the views of our epistemic peers as further evidence that bears on the disputed questions themselves, discovering that one's peer disagrees does not entail that one ceases to be justified in believing what one does. In other words, discovering such a disagreement does not mandate suspension of belief regarding the disputed proposition. Kelly's argument goes as follows. Let E represent the total evidence you and I (epistemic peers) have with respect to H at time t₀. Suppose that each of us is ignorant of the other's existence at this point. Let's further stipulate that E is such as to rationalize the belief that H. Recognizing this fact, you form the reasonable belief that H at time t₁, an instant later. Unfortunately, however, I

¹⁰⁹ Kelly, "The Epistemic Significance of Disagreement," 187-188.

badly misjudge the probative force of the evidence E at time t1 and take up the unreasonable belief that not-H.

At time t1 then, prior to our learning about the other person, the situation is as follows. You hold the reasonable belief that H on the basis of your total evidence E while I hold the unreasonable belief that not-H on the basis of my total evidence E. The asymmetry in the epistemic statuses of our respective beliefs is due simply to the fact that E *really does* support H and does not support not-H. Suppose that we become aware of our disagreement at time t2. According to the view in question, our total evidence with respect to H has now changed. Let's call our new total evidence at time t2 E*.

Our new total evidence E* will include the following:

E* = (i) the original, first-order evidence E,
(ii) the fact that you believe H on the basis of E, and
(iii) the fact that I believe not-H on the basis of E.¹¹⁰

The key fact here, says Kelly, is that there is no reason to think that the new evidence E* will invariably mandate an attitude of suspension of belief with respect to hypothesis H. Specifically, there is no reason to think your continuing to believe H is unreasonable on evidence E* given that it was reasonable when your total evidence consisted of just E. This is because the character of the new evidence E* will depend quite a bit on the character of the original evidence E. Indeed, Kelly thinks that if we give equal weight to (ii) and (iii), then H will be more probable than not-H on the new evidence E*, given that it was more probable on the original evidence E.

To Kelly, our original evidence E does not simply vanish or become irrelevant once we learn what the other person believes on the basis of that evidence. Rather, it continues to play a role as an important subset of the new total evidence E*. On Feldman's view, however, E gets

¹¹⁰ Ibid., 190.

completely swamped by purely psychological facts about what you and I believe. Kelly asks, “But why should the normative significance of E completely vanish in this way?”¹¹¹ In general, what one is and is not justified in believing on the basis of E* will depend a great deal on the character of the first-order evidence E.

Thus, there is no reason to think that since you now have evidence E* that you will no longer be justified in believing H. Both you and I are epistemic peers, so it seems like (ii) and (iii) are to be given equal weight. If they are given equal weight, then they cancel each other out, in effect, and E* reduces to E (which supports your believing that H is true).¹¹² Kelly concludes that even if one treats the higher-order evidence provided by the beliefs of one’s epistemic peers as evidence that bears on the disputed beliefs, it does not follow that agnosticism or suspension of judgment is the correct response to such disputes.

Conclusion

To Kelly, the higher-order evidence that a peer’s disagreement provides does not constitute a compelling basis for skepticism. As Kelly says, “The mere fact that others whom I acknowledge to be my equal with respect to intelligence, thoughtfulness, and acquaintance with the relevant data disagree with me about some issue does not undermine the rationality of my maintaining my own view.”¹¹³ Similarly, Sosa doesn’t think that peer disagreements entail that one of the parties must have an unjustified belief. Regarding his argument from private evidence, Sosa says that it opens up “possibilities for us to sustain our views reasonably even in the teeth of

¹¹¹ Kelly, “Peer Disagreement and Higher-Order Evidence,” 124.

¹¹² Matheson, “Conciliatory Views of Disagreement and Higher-Order Evidence,” 274.

¹¹³ *Ibid.*, 192.

outspoken opposition.”¹¹⁴ Are the objections that Sosa and Kelly level against Feldman fatal to Feldman’s conciliatory and skeptical view? The next chapter will be devoted to answering this question.

¹¹⁴ Sosa, “The Epistemology of Disagreement,” 298.

Chapter 3: A Reply to Feldman's Critics

Introduction

In his article “Not Just a Truthometer,” David Enoch says that the discussion of peer disagreement is located in the wider context of epistemic imperfection. “We are here in the business of taking our own fallibility into account, and peer disagreement may very well be a relevant corrective,” says Enoch.¹¹⁵ Similarly, David Christensen says in his article “Disagreement, Question-Begging, and Epistemic Self-Criticism” that, in thinking about what the rational implications of a peer disagreement might be, we must keep the bottom line before our minds: “Rationality requires that I take seriously evidence of my own possible cognitive malfunction in arriving at my beliefs.”¹¹⁶

The previous two chapters have illustrated that one aspect of thinking about our own possible malfunction in peer disagreements involves thinking about whether we've properly evaluated the different types of evidence in such disagreements. In particular, we have looked at the relation between rational belief and (a) one's private and public evidence, and (b) one's first-order and higher-order evidence. In the last chapter, we saw that Ernest Sosa and Thomas Kelly resist Richard Feldman's position on these points. They don't think that disagreement between peers undermines the justification of the peers' beliefs, necessitating suspension of judgment.

In this chapter I will engage with Sosa and Kelly's objections to Feldman. At a certain key point in the discussion of Sosa's objection to come I will make use of an extended symmetry

¹¹⁵ Enoch, “Not Just a Truthometer: Taking Oneself Seriously (but not Too Seriously) in Cases of Peer Disagreement” (*Mind* 119, no. 476, 2010), 966.

¹¹⁶ David Christensen, “Disagreement, Question-Begging, and Epistemic Self-Criticism” (*Philosopher's Imprint* 11, no. 6, 2011), 20.

principle. After explaining what this extended symmetry principle is in the next section, I will turn to Sosa and Kelly's criticisms.

The Extended Symmetry Principle

In Chapter 1 we noted Feldman's observation that a striking feature of cases of peer disagreement is the symmetry of the situation. As Feldman says, one is led to acknowledge the symmetry in those cases where another person, every bit as intelligent, serious, and careful as oneself, has reviewed the same information as oneself and has come to a contrary conclusion to one's own. "In those cases, I think, the skeptical conclusion is the reasonable one: it is not the case that both points of view are reasonable, and it is not the case that one's own point of view is somehow privileged. Rather, suspension of judgment is called for."¹¹⁷

Even if it is true that the arguments in fact favor one party's side in the debate, the outcome of the discussion includes the peers' realization that for each thing one of them can say in support of his view, the other can say something analogous in support of the other view. To stick to one's guns in such a disagreement would be arbitrary; it would be to fail to treat like cases alike, which Feldman says is "a violation of what I take to be a clear condition for rational belief."¹¹⁸

In his essay "A Defense of the (Almost) Equal Weight View," Stewart Cohen points out a parallel between the symmetry principle Feldman has in mind, and a familiar principle in ethics. The principle in ethics says that the mere fact that an action is mine rather than someone else's cannot be relevant to the moral status of the action. Similarly, the "mere fact that . . . [an opinion]

¹¹⁷ Feldman, "Epistemological Puzzles about Disagreement," in *Epistemology Futures*, ed. Stephen Hetherington (New York, NY: Oxford University Press, 2006), 235.

¹¹⁸ Feldman, "Respecting the Evidence" (*Philosophical Perspectives* 19, no. 1, 2005), 116.

is my opinion rather than my peer's cannot be relevant to the rational status of that opinion."¹¹⁹

When two epistemic peers with the same evidence disagree, neither seems to have any basis for favoring his own belief over his peer's. Given the relevant symmetries, one should give equal weight to a peer's attitude as to one's own. The disputing peers' mutual knowledge of the symmetry, then, is a *prima facie* defeater for preferring one's own view.

Thus, Feldman's symmetry principle applies in cases where the two disagreeing peers share the same evidence, since there is a symmetry of possessed evidence. But I think this principle can be extended to disagreements where evidential disparity (i.e., private evidence) is present.¹²⁰ Here is how symmetry applies in these cases. Suppose that the evidence involved in some peer disagreement is the set of shared public evidence *plus* private reason A and private reason B. Both peers know about the public evidence, and each makes an argument based on it to support their conflicting positions. But in addition to this, the first peer has private reason A that he takes to justify his disputed belief. Since his peer lacks private reason A, the first peer feels confident that he is rational in holding to his disputed belief, precisely because he has this private evidence that his peer lacks. The second peer sees the disagreement similarly. He has private

¹¹⁹ Cohen, "A Defense of the (Almost) Equal Weight View," in *The Epistemology of Disagreement: New Essays*, eds. David Christensen and Jennifer Lackey (Oxford, United Kingdom: Oxford University Press, 2013), 99.

¹²⁰ It might sound odd saying that the symmetry principle can be extended to cases of peer disagreement where there is evidential disparity. It may sound this way because epistemic peers are supposed to be persons who share the same evidence, between whom there is no evidential disparity. I don't think it is odd, though. As we pointed out in Chapter 1, philosophers who think about peer disagreement distinguish between idealized notions of epistemic peers and realistic notions of epistemic peers. The idea that two epistemic peers share the exact same set of evidence and have the exact same intellectual abilities is the idealized notion. But this doesn't mean that two realistic peers are literally equals in this way, or that they have to be in order to be considered epistemic peers. Rather, realistic peers are persons who more or less share the same evidence, and who are more or less of equal intelligence. Thus, when I speak of a peer disagreement in which there is evidential disparity, what I mean is that there are two peers of roughly the same intelligence, who possess just about the same set of evidence, but not exactly – there may be private evidence that causes some evidential disparity. But this evidential disparity isn't enough, I think, to cause us to say that the two persons in question are no longer epistemic peers. They share enough similarities in intellect and evidence plausibly to be called peers, despite some disparities here and there.

reason B that the first peer lacks, so he thinks he's justified in continuing to hold his belief confidently.

Both disagreeing peers think that their private reasons have tipped the evidential scale in their respective favors, since each has a relevant bit of evidence his peer lacks. In this case, there isn't symmetry of *possessed* evidence; the peers don't share the exact same evidence. But I think there is symmetry of *unpossessed* evidence. Let's say that the second peer's lack of access to private reason A is an evidential deficiency, since from the first peer's point of view not having access to private reason A means one is missing a key reason that justifies the first peer's belief. But notice that the second peer can say *the exact same thing* about the first peer. The second peer can reason as follows: "I have private reason B, which my peer lacks, and I take it that private reason B is weightier than my peer's dissent, so I'll continue confidently holding my disputed belief."

From the second peer's perspective, his peer is evidentially deficient because he lacks access to private reason B. And so both peers view each other as evidentially deficient in this particular case because each lacks the other's private reason. Because of this, both think they are justified in holding fast in their positions.

However, I don't think that holding fast is necessarily the right move in this situation. It seems that what these two peers should be thinking is this: "My peer has an important bit of evidence, a private reason, which I lack. If I did have access to it, it might significantly challenge my position; so, given my evidential deficiency in this regard, I'm not justified in holding my original belief as confidently as I did. I need to revise or suspend judgment due to the impact of this unpossessed evidence."¹²¹

¹²¹ In my evaluation of Sosa's objection I'll lay out why I think knowledge of unpossessed evidence serves as an undermining defeater of one's belief.

Thus, since both peers are evidentially deficient in the sense of not possessing each other's private reasons, both should understand that awareness of the other's private evidence is a reason to lower their confidence in thinking that they are the ones who have arrived at the right belief. Put differently, knowledge of the mere existence of a peer's private evidence serves as a *prima facie* defeater for the justification of one's own belief. The extended symmetry principle shows that each peer is equally disadvantaged in this case, and so it would be arbitrary for one peer to prefer his own view just because it is his.

The extended symmetry principle guides us in thinking about cases of peer disagreement, cases in which there is a symmetry of possessed evidence *and* a symmetry of unpossessed evidence. The purpose of the extended symmetry principle is to help us spot when one party to a disagreement arbitrarily prefers his own view. I take it as intuitively clear that when two persons are in an epistemic situation that displays symmetry, they rationally ought to treat like cases alike, not favoring their own beliefs simply because they are their own. As I will argue when responding to Sosa, I think that Sosa's objection from private evidence violates this principle.

Responding to Sosa

Sosa's concern with Feldman's argument for suspending judgment in peer disagreements was that Feldman failed to account for the import of private evidence. Feldman argued that two peers cannot have a reasonable disagreement with each other once they have disclosed their reasons, since, if they fully disclose their reasons, then neither peer has any evidence that the other lacks. Neither peer would have a rational basis for preferring his own view, as Feldman's symmetry principle is meant to show. But Sosa argues that one important type of evidence cannot be disclosed. Private reasons are one type of evidence that justifies – to whatever degree – each peer's disputed belief, but these private reasons are usually inscrutable or hard to uncover,

not open to reflection. So, part of the justificatory basis for each peer's belief cannot be disclosed. This means that full disclosure rarely takes place in peer disagreements. If there is no full disclosure, then no rational obligation to suspend judgment follows. Thus, Sosa thinks that by noting the full significance of private evidence, we see that two peers needn't suspend judgment in a disagreement – both can be justified in their controversial beliefs.

My response to Sosa is two-pronged. First, I challenge the idea that we should even consider a reason that is inscrutable or that cannot be uncovered as 'evidence'. Second, I argue that even if we *do* count private evidence as evidence, this isn't sufficient to make room for reasonable peer disagreements. It seems that the extended symmetry principle will apply in cases of disagreement involving private evidence. If this is so, then each peer's knowledge that he lacks a relevant piece of (private) evidence will serve as a *prima facie* defeater for his disputed belief. If each peer knows about the existence of the other's private reason, then neither will have a rational basis for preferring his own view.

What Counts as 'Evidence'?

Evidentialism says that whether one is justified in believing *p* depends on one's evidence regarding *p*, and that one's evidence consists of one's mental states.¹²² Evidentialism, then, is an *internalist* theory of justification. Robert Audi provides this definition of internalism:

To have (internal) access to something is either to have it in consciousness or to be able, through self-consciousness or at least by reflection, whether introspective or directed "outward" toward an abstract subject matter, to become aware of it, in the (phenomenal) sense that it is in one's consciousness. Call the view that justification is grounded in accessible elements *internalism about justification*.¹²³

¹²² Matthias Steup, "Epistemology," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, 2014: URL = <<http://plato.stanford.edu/archives/spr2014/entries/epistemology/>>.

¹²³ Audi, *Epistemology: A Contemporary Introduction to the Theory of Knowledge*, 3rd ed. (New York, NY: Routledge, 2011), 273.

Thus, evidentialism, as a particular type of internalism, holds that epistemic justification is entirely a matter of *internal* evidential factors.¹²⁴ These internal evidential factors will be present to the mind, or accessible, in the form of mental states.

What kinds of mental states count as evidence, exactly? In his essay “Having Evidence” Feldman deals with this question. As Feldman explains, people often consciously entertain beliefs that were initially formed on the basis of evidence that they do not, and perhaps cannot, recall. It isn’t clear whether such evidence counts as part of the evidence they have. Maybe whether it counts depends upon if, or how easily, it can be recalled.¹²⁵ Becoming clear on what counts as evidence possessed seems essential to epistemic evaluations of cases in which stored information that does *not* come to mind counts against something that is supported by the evidence one does consider, that is present to one’s mind.

Feldman argues that we should think of what it means to have something as evidence (as available evidence) as follows:

(1) *S* has *p* available as evidence at *t* if and only if *S* is currently thinking of *p*.¹²⁶

This view limits available evidence to what one is thinking of at a certain time. To flesh out (1), Feldman introduces some terminology. Feldman says that the *total possible evidence* a person has at a time includes all and only the information the person has ‘stored in his mind’ at the time. This is a very broad notion, including everything that one has actively believed and could recall

¹²⁴ Earl Conee and Richard Feldman, “Internalism Defended,” in *Evidentialism: Essays in Epistemology*, eds. Earl Conee and Richard Feldman (New York, NY: Oxford University Press, 2004), 53.

¹²⁵ Feldman, “Having Evidence,” in *Evidentialism: Essays in Epistemology*, eds. Earl Conee and Richard Feldman (New York, NY: Oxford University Press, 2004), 220.

¹²⁶ *Ibid.*, 232.

with some prompting. It includes past beliefs that were adopted for no good reason, and it includes things that could be recalled only with great difficulty.¹²⁷

The *total evidence* one has at a time is some part of the total possible evidence one has at that time. Something that is part of one's total possible evidence may fail to be part of one's total (actual) evidence for one of two reasons. It may fail to meet some psychological *accessibility condition* or it may fail to meet some *epistemic acceptability* condition. Feldman says that any part of one's total possible evidence that satisfies this psychological condition is part of the evidence one has *available*. Evidence that satisfies the epistemic condition will be said to be *acceptable*.¹²⁸ So, that portion of one's total possible evidence that is both available and acceptable is the total evidence one has.¹²⁹ Our concern is primarily with the conditions under which evidence is available, which is what (1) is getting at.

(1) restricts a person's evidence to what one is currently thinking of at a time. Accordingly, (1) states that one's *total evidence* – namely, that portion of one's total possible evidence that is both psychologically available and epistemically acceptable – is constituted solely by what a person is thinking of at some specific time.

I think there are two reasons to prefer Feldman's notion, communicated in (1), of what it means to have evidence: first, a more inclusive and liberal view of what it means to have something as available evidence leads to some implausible results, and second, Feldman's restrictive view seems to be more in accord with the internalist aspect of evidentialism than more

¹²⁷ Ibid., 226.

¹²⁸ Feldman explains that, on this view, epistemic acceptability determines not what counts as evidence possessed but rather what is made rational or justified by the evidence possessed.

¹²⁹ Feldman, "Having Evidence," 226-227.

inclusive views of what counts as available evidence. Consider the first reason. The following is an inclusive conception of what it means to have evidence as available:

(2) S has p available as evidence at t iff p is included in S's total possible evidence at t .¹³⁰

According to this view, everything one actively believes at a time and every belief that is retrievable from one's memory would be a part of one's available evidence at that time. It seems that this view of evidence is lacking because it is *over*-inclusive, though. Consider an example provided by Feldman for why this view is inadequate:

Easily devised examples suggest that . . . [(2)] is far too inclusive. Some such examples concern the evidential status of childhood memories that could only be recalled with extensive and highly directed prompting. Suppose, for example, that the house I lived in as a young child was painted yellow, but on my own I cannot remember the house and have no testimonial evidence concerning its color. If I were asked its color, I would report honestly that I couldn't remember. If we add to the story the fact that some complex set of prompts will trigger in me a clear memory of the house, and reveal its color, then . . . [(2)] has the highly counter-intuitive result that I now, prior to the prompt, have as evidence this memory of the house. Coupled with standard theories of justification . . . [(2)] yields the implausible result that I am now justified (or at least highly rational) in believing that the house was yellow. In this situation it would be most unfair to claim that I am epistemically irresponsible or blameworthy for failing to make proper use of my evidence or for failing to believe that my house was yellow. Indeed, it seems clear that the epistemically proper thing for me to do is to suspend judgment on most propositions concerning its color.¹³¹

As Feldman notes in his illustration above, the conception of what it means to have evidence as available expressed in (2) entails that one can have evidence stored in one's memory that can supposedly justify one's beliefs even if the individual in question cannot remember what that evidence is on her own. This notion seems implausible, since it implies that one is epistemically blameworthy if one fails to make use of this evidence. But how can one be held responsible for failing to make use of evidence that, by its very nature, cannot be accessed by the individual on

¹³⁰ Ibid., 228.

¹³¹ Ibid.

her own? Because of this, it seems reasonable to restrict what counts as available evidence to what the individual can access on her own in the moment of her deliberation, which is the view given by Feldman in (1) above.

The second reason to prefer Feldman's restricted view offered in (1) is that it is a natural extension of the internalist aspect of evidentialism, and it appropriately satisfies the internalist concerns regarding justification. At the beginning of this section we noted that internalism holds that justification is grounded in accessible mental elements. In his essay "Recent Work on the Internalism–Externalism Controversy," Laurence Bonjour highlights two corollaries of thinking of internalism as the view that justification is grounded in accessible elements. One is that only a view according to which *all* of the elements required to yield a cogent reason for the belief in question are appropriately accessible can satisfy the fundamental internalist intuition. It is only if this is so that the person genuinely *has* a reason – as opposed to merely part of a reason – for the belief, one that could seem reflectively to justify the belief and that is available for critical assessment. A view that allows some element that is essential to the cogency of a justificatory reason to be outside of the person's cognitive perspective doesn't satisfy internalist concerns.

The other corollary is that the 'accessibility' of the justificatory elements must be understood in a very strong way, in terms of *reflective* accessibility. That I have access, in a sense, to a reference work or to a perceptible situation that *could* yield a reason does not necessarily make those reasons internally accessible in the right way, since until I do whatever is required to avail myself of them I do not actually *have* the reason in question. The fact that a basis for a reason is lurking somehow in my perceptual experience or system of beliefs or other mental contents in an entirely unnoticed way also does not seem to give me an appropriately internalist reason for the corresponding belief. Until I do whatever is needed to isolate the

ingredients of such a reason and put them together in an appropriate way, I again do not actually *have* the reason in question, and I am also not in a position to evaluate it critically.¹³²

Thus, what mainly matters on internalism is not the metaphysical status of a justificatory element or factor, but instead its *availability* to the person as a *reason* for accepting a particular belief, a reason that one is thereby in a position to critically evaluate. This is to say that the relevant sort of internality is *being accessible to a person's first-person cognitive perspective*. Feldman's conception of evidential availability given in (1) seems to satisfy these internalist intuitions well, since it limits one's evidence to what one is currently thinking. One very well may have further evidence that is stored in one's mind that would be relevant to the belief being deliberated. But one must be able to avail one's self of it – be able to access it for consideration in the moment of deliberation – for it to count as actual evidence or an actual reason (as opposed to a merely potential one).

This means that, on the internalist–evidentialist view outlined in this section, we shouldn't count inaccessible memories or unconscious mental states as evidence. We also shouldn't count as evidence some property of a person's mental state – e.g., something like the coherence of his entire system of beliefs – that is too complex and multi-faceted for one to ever be capable of reflectively apprehending that it obtains.

How does Sosa's notion of private evidence fare given these considerations about what counts as evidence? Not well, it seems. Sosa speaks of private evidence as evidence that cannot

¹³² Bonjour, "Recent Work on the Internalism–Externalism Controversy," in *A Companion to Epistemology*, eds. Jonathan Dancy, Ernest Sosa, and Matthias Steup (Malden, MA: Wiley-Blackwell, 2010), §1. (Note: I accessed this work as an eBook, and the text doesn't have page numbers. So, I cite my reference to it via section number, as indicated above.) Bonjour clarifies that he does not want to insist that all of this must be done in a fully overt, explicit way, though from a strictly epistemological standpoint this is obviously optimum. But some sort of tacit or implicit awareness of what is involved seems required if one is to have an actual reason rather than a merely potential one.

be cited or expounded to an opponent or to oneself; it is evidence that is inscrutable, that cannot be explicated fully due to its complexity and extensiveness, that cannot be displayed for reflection on how well it supports the content of our belief. When the private reasons that ground some belief are thus complex, and, in some cases, temporally extended with the aid of memory, our full grounding for that belief lies beyond our present view. To Sosa, if we can't even spot or lay out our operative evidence, so much of which lies in the past and is no longer operative except indirectly through retained beliefs, then we cannot disclose it so as to share it. Despite all this inaccessibility, Sosa says that private reasons "seem conclusive, then, even if . . . [one] cannot lay them out, one by one, perhaps even to himself in private."¹³³

Given our discussion in the preceding paragraphs, it seems reasonable to say that what Sosa calls private evidence isn't really evidence. If we have good reason to think that we should restrict a person's evidence to what one is currently thinking – where all of the elements required to yield a cogent reason for the belief in question are appropriately accessible for reflection – then I think we have good reason to conclude that Sosa's private reasons don't count as evidence.

If private evidence doesn't count as evidence, then Sosa's objection to Feldman on the basis of private evidence loses its force. Sosa argued that the full disclosure of evidence in peer disagreements rarely happens, since private evidence is an important type evidence in disagreements that influences the justification of the peers' disputed beliefs but that cannot be disclosed. If private evidence isn't really evidence, though, then Sosa's basis for arguing that the full disclosure condition doesn't get satisfied in peer disagreements dissolves. Thus, Feldman's argument for suspension of judgment in peer disagreements, on the condition that the peers have

¹³³ Sosa, "The Epistemology of Disagreement," in *Social Epistemology*, eds. Adrian Haddock, Alan Miller, and Duncan Pritchard (Oxford: Oxford University Press, 2010), 288.

fully disclosed their reasons and yet remain at odds with each other, doesn't seem to be threatened by considerations of private evidence.

The Extended Symmetry Principle and Private Evidence

In the last section we concluded that it's plausible to say that private evidence doesn't count as evidence. But even if we *do* count private evidence as evidence, I don't think it clearly follows that two epistemic peers can have a reasonable disagreement, where both of their conflicting beliefs are justified (as Sosa thinks). It seems that the extended symmetry principle applies in disagreements involving private evidence, since disagreements involving private evidence appear to display symmetry of unpossessed evidence.

How does symmetry of unpossessed evidence influence the justificatory status of one's belief? Consider what the extended symmetry principle says: when two epistemic peers disagree, if anything one of the disputants can say in favor of his view – i.e., citing public reasons, or private reasons that he has but that his peer lacks – can *also* be said by the other disputant in favor of *his* view, then neither disputant has a justifying reason to prefer his own view over that of his peer's view. The idea is that awareness of symmetry removes any basis for preferring one's own view. My argument, then, is that *if* there is symmetry of unpossessed evidence in peer disagreements, awareness of this symmetry will be a defeater for the justification for one's belief.

Earlier in this chapter when we introduced the extended symmetry principle I explained how there appears to be symmetry of unpossessed evidence in peer disagreements involving private evidence. If we suppose that two peers disagree about some issue, the first peer might possess private reason A (which the second peer lacks), and the second peer might possess private reason B (which the first peer lacks). Both possess private reasons, but neither peer

knows what the other's private reason is. Presumably, all that each peer knows about the other's private reason is that it exists. This is how Sosa described private evidence when discussing Moore's disagreement with the skeptic. Sosa said that Moore knew that he had conclusive private reasons justifying his belief that he was awake and not dreaming, despite the fact that Moore couldn't expound those reasons to the skeptic or to himself. Moore could report to the skeptic that he had these reasons, but he couldn't tell the skeptic much more than that.

So, in a peer disagreement involving private evidence each peer will recognize that he has an item of evidence that his peer doesn't possess, and vice versa. This is where symmetry between the two peers' situations shows itself. Both peers will realize that they don't possess an important item of evidence relevant to their disagreement, namely, each other's private reasons. There is thus symmetry of unpossessed evidence in disagreements involving private evidence.

Supposing there is this symmetry of unpossessed evidence, what should the awareness of it lead each peer to think about his disputed belief? I think that an awareness of unpossessed evidence will tend to undermine the justification for one's belief. In his article "The Significance of Unpossessed Evidence," Nathan Ballantyne argues that recognizing that our evidence is partial challenges our justification for believing as we do. Consider an example offered by Ballantyne to illustrate this point:

LIBRARY: You are wandering among rows of bookshelves at the library. These books concern matters about which you hold views. But you've read only a few of them. Let's imagine you think that free will and determinism are compatible, having studied a dozen journal articles and a couple of books years ago in graduate school. Scanning the shelves here, you appreciate that there are several dozen titles relevant to the question of whether compatibilism about free will is true. Some books contain arguments against your view. You hadn't considered this mass of work until now and you haven't yet looked at it.¹³⁴

¹³⁴ Nathan Ballantyne, "The Significance of Unpossessed Evidence" (*The Philosophical Quarterly* 65, no. 260, 2015), 315.

Ballantyne says that this example leaves us feeling that rational belief in compatibilism is threatened by learning about unpossessed evidence. This introduces us to the problem of unpossessed evidence, which is constituted by the question of whether rational belief is sometimes incompatible with recognizing that we have only part of the relevant evidence.

To draw out the problem that unpossessed evidence poses for rational belief, consider how a belief could be defeated by recognizing that our evidence is partial. When we learn that there is evidence we don't have, we sometimes learn that part of that unpossessed evidence would defeat a particular belief of ours. But evidence that there is an unpossessed defeater for a belief is a *prima facie* defeater for that belief.

To further draw out this idea, suppose that we believe proposition *p*. There are different ways our evidence may rationally challenge our belief, simply by telling us about the unpossessed evidence. First, our evidence may indicate that the evidence we don't have supports not-*p*. In other words, it is evidence of a rebutting defeater for *p*, or a reason to disbelieve *p*. Second, our evidence may indicate that the unpossessed evidence tells against the rationality of believing *p*. Thus, it is evidence of an undermining defeater for *p*, removing our justification for believing *p*.¹³⁵

So if we suppose our belief in *p* is rational but we then gain evidence indicating that there is unpossessed evidence that contains either a rebutting or undermining defeater for belief in *p* relative to that unpossessed evidence, then it seems we would need to revise our belief regarding how justified we are in believing *p*. For example, imagine we are in the library and notice some books having to do with free will. We realize that some of these works contain arguments against compatibilism. It is plausible to think that the set of evidence comprised by the several books

¹³⁵ Ibid., 319-320.

that defend incompatibilism contains defeaters of belief in compatibilism. Whoever has that set has a defeater for believing compatibilism to be the case. Given these things, we might reason as follows:

M1: Evidence of the existence of a defeater for believing p relative to some body of evidence is a (*prima facie*) defeater for believing p relative to any body of evidence.

M2: I have evidence of the existence of a defeater for believing proposition p relative to some body of unpossessed evidence.

M3: I have no defeater for that (*prima facie*) defeater for believing p .

M4: Therefore, I have an undefeated defeater for believing p .¹³⁶

Ballantyne calls this the ‘Meta-Defeater Argument’. M1 is related to an epistemic principle captured by Feldman’s slogan “evidence of evidence is evidence.”¹³⁷ M1 roughly says that evidence of a defeater for believing p is a *prima facie* defeater for believing p .

M2 is given by the details of the library example. In that situation, we can imagine learning about an unpossessed defeater. What is important is that we may accept M2 without having the unpossessed defeater in hand. Imagine that we read the dust jacket blurbs of the books in the library on free will, which we haven’t yet read, and we learn that incompatibilism is defended therein. In that case, we would have reason to think that there is a defeater for compatibilism relative to some unpossessed evidence, but we would not have that defeater itself.¹³⁸

How about M3? In the library example, it doesn’t seem that we have a defeater for the defeater in that example. This is because we lack reason to think that those books we haven’t

¹³⁶ Ibid., 320.

¹³⁷ Feldman, “Epistemological Puzzles about Disagreement,” 223.

¹³⁸ Ballantyne, “The Significance of Unpossessed Evidence,” 321.

read are unreliable. We also lack reason to think that our original evidence for our belief in compatibilism is representative of the total evidence, in the sense that we would be unlikely to gain a new defeater if we were to read those books. In other words, since we have no reason to think that the books on free will that we haven't read are unreliable, and because we have no reason to think that our original evidence for our belief is representative of the total evidence, we have no reason to think that our original evidence is *better than* the unpossessed evidence.¹³⁹

Think of it like this. We are not sure if the subset of the total evidence that we have contains as much accurate, non-misleading evidence as other subsets. Following our evidence may or may not be as good of a guide to the truth as following other subsets of evidence. Suppose we were to put our evidence up against other subsets of the total evidence. Which would prove to be best? Unfortunately, we usually cannot tell whether our evidence is more likely to indicate what's true than the subsets containing evidence that we don't have, so we shouldn't presume our evidence is superior. It is for these reasons that, in a case like LIBRARY, we lack reason to believe that our original evidence is better than the unpossessed evidence. Thus, in the library example, we won't have a defeater-defeater but will have reason to affirm M3.¹⁴⁰

Thus, the Meta-defeater Argument shows that there is a defeater for our belief in the library example in particular, and it also seems to indicate that, in general, we get a *prima facie* defeater for our belief when we recognize that there is relevant evidence that we don't possess. In cases of peer disagreement, where there is symmetry of unpossessed evidence, both peers should recognize that knowledge of the existence of each other's private reasons is evidence of

¹³⁹ Ibid.

¹⁴⁰ Ibid., 322.

the existence of a defeater for each of their beliefs. And evidence of the mere existence of a defeater, even if the two peers don't have that defeater itself, is a *prima facie* defeater for their beliefs.¹⁴¹

The implication of this discussion of the symmetry of unpossessed evidence for Sosa's notion of private evidence is this: while Sosa thinks that each peer's having private evidence *justifies* them in sticking to their original opinions in a disagreement, it seems that knowledge of the existence of each other's private evidence *undermines* the justification of the peers' original opinions. If private evidence plays a key role in peer disagreements, then both peers should become aware that there exists a *prima facie* defeater for their original opinions that they don't have access to. The peer who has private reason A won't be able to tell if that bit of evidence is more likely to indicate what's true than his peer's private reason B. The same will apply for the peer who has private reason B. This realization should lead both peers to become less confident in their beliefs, perhaps even to suspend judgment on them entirely until more information becomes available.¹⁴²

Consequently, even if we grant that private evidence should count as evidence, it doesn't follow that Sosa's argument from private evidence overturns Feldman's claim that suspension of

¹⁴¹ Of course, either of the two peers may have a defeater-defeater for the *prima facie* defeater here. In the case of a peer disagreement, a defeater-defeater would probably come in the form of some reason to think that one's peer is unreliable or more likely to get things wrong. But it seems that a defeater-defeater like this would be difficult to come by, since two peers are taken to be persons who, in general, are equally reliable thinkers.

¹⁴² Earl Conee comes to a similar conclusion in his article "Peerage" (*Episteme* 6, no. 3, 2009), 316. Conee says that if opposing peers purport to have their own supporting incommunicable insight, then we would need some distinguishing basis to regard ours as the genuine article. Otherwise, our reasons regarding private insights would consist in a tie between conflicting apparent insights. It doesn't seem we would have good reason to take ours to be the genuine insight. And we are in no position to discount reports of opposing apparent insights. In a peer disagreement, it is not reasonable for us to suppose that our disagreeing peer is persistently deceiving us or deluded about his having an apparent insight on his own side. So if an epistemic peer does report an incommunicable insight in support of denying the proposition we believe, then we know of two apparent insights that point in opposite directions, theirs and ours. Theirs rationally balances off ours. So our apparent insight does not give us an undefeated balance of reasons in favor of our own view.

judgment needs to happen in peer disagreements. Rather, when we see that disagreements involving private evidence display symmetry of unpossessed evidence, it seems that each peer's knowledge of the existence of the other's private evidence will be a *prima facie* defeater for their original beliefs. Given the relevant symmetries, neither peer will any longer have a rational basis for preferring his own view.

Responding to Kelly

Kelly criticized conciliatory views like Feldman's in two respects. Feldman claims that an epistemic peer's disagreement is higher-order evidence that impacts the justification of one's belief. But Kelly argues that we shouldn't treat a peer's belief as evidence concerning the disputed belief in question because (i) the person who formed the belief wouldn't count her own belief as additional support for her view, and (ii) to count that person's belief would be a kind of double-counting of the original, first-order evidence.

Kelly's second criticism is that, even if we assume that a peer's belief does count as evidence that impacts the justification of one's belief, it wouldn't follow that this evidence would lead one to suspend judgment. Kelly doesn't think that in a peer disagreement one's first-order evidence gets swamped by higher-order considerations. Rather, if one was justified in her belief based on a correct assessment of the first-order evidence before learning about her peer's disagreement, then it is likely that she will still be justified in her original belief even after learning about the disagreement.

I think that Kelly's reasons are wrongheaded in the end. Regarding Kelly's first criticism, I argue that Kelly's argument rests on an implicit false assumption. Kelly's false assumption is that, if one's own belief can be defeated by a peer's opposing belief *at all*, then we have to think of our peer's opposing belief as being a certain kind of defeater: a rebutting defeater. Kelly then

goes to certain lengths to argue that a peer's opposing belief doesn't qualify as a rebutting defeater, and so one's own belief is *not* threatened by a peer's opposing belief. Coupled with this this false assumption is, I think, a mistaken view of higher-order evidence on Kelly's part. So, I will address both Kelly's false assumption and his view of higher-order evidence.¹⁴³

Regarding Kelly's second criticism, it seems that in laying out his argument he assumes a non-internalist view of justification. Kelly seems to imply that external or metaphysical justification is what matters in peer disagreements. Since Kelly employs an externalist notion of justification, this leads him to argue that there is an asymmetry present in peer disagreements. This asymmetry is present when one peer has *actually* formed the right belief – i.e., is externally justified – while the other peer has misjudged the evidence and formed an unreasonable belief. Kelly thinks this asymmetry is sufficient to justify one in sticking confidently to her belief in a peer disagreement. While I agree that there is a metaphysical asymmetry in a case like this, the peers don't have internal or mental access to this metaphysical fact, so they can't reason based on it. Thus, they wouldn't be justified in sticking to their guns.

Peer Beliefs as Defeaters

Suppose that two epistemic peers share the same total evidence E with respect to some proposition p . Then consider these three claims:

- (C1): E is good evidence that p is true.
- (C2): S believes p on the basis of E .
- (C3): p is true.

If one discovers that his peer believes p on the basis of E , he should treat that discovery as higher-order evidence supporting (C1). Kelly agrees with this, since he thinks a piece of higher-

¹⁴³ Kelly himself has slightly revised his original view of higher-order evidence since he gave this objection in 2005. I touch on this briefly in the following discussion.

order evidence provides one with evidence about what one's evidence supports.¹⁴⁴ But if one discovers that his peer believes p on the basis of E , should he also treat that discovery as confirming evidence *for p itself*? In other words, is (C2) evidence for (C3)?

Kelly says no. He argues that we shouldn't treat a peer's belief as evidence regarding p itself because (i) the person who formed the belief wouldn't count his own belief that p as additional support for p , and (ii) to count that person's belief would be a kind of double-counting of the original, first-order evidence. If (C2) is not evidence for (C3), then discovering that one's peer believes p on the basis of E does not provide one with evidence regarding p itself. If this is right, then it seems like Feldman's view will be false, since discovering that one's peer holds an opposing belief fails to provide one with evidence pertaining to the disputed proposition itself.¹⁴⁵

Notice what Kelly argues here. He claims that if a view like Feldman's is to have any force, then it must be committed to saying that (C2) is evidence for (C3). To Kelly, this is the only way the rationality of one's own belief can be threatened by a peer's opposing belief. Kelly then argues that we have good reason to think (C2) *is not* evidence for (C3). With this in mind, now consider the following three claims:

- (C1*): E is good evidence that p is *not* true.
- (C2*): S believes *not- p* on the basis of E .
- (C3*): p is *false*.

Again, Kelly argues that (C2*) is higher-order evidence for (C1*). Finding out that one's peer believes *not- p* on the basis of E is a reason for thinking (C1*) is true. But Kelly argues that finding out that one's peer believes *not- p* on the basis of E does *not* give one a reason to think p

¹⁴⁴ Kelly, "The Epistemic Significance of Disagreement," in *Oxford Studies in Epistemology: Volume 1*, eds. Tamar Szabo Gendler and John Hawthorne (Oxford: Oxford University Press, 2005), 186.

¹⁴⁵ Jonathan Matheson, "Conciliatory Views of Disagreement and Higher-Order Evidence" (*Episteme* 6, no. 3, 2009), 272.

is false. (C2*) is not evidence for (C3*), for Kelly's two reasons given in the above paragraph. Thus, (C2*) says nothing about whether p is a justified or rational belief.

Again, Kelly argues that if this is right, then Feldman's view will be wrong, since what motivates a view like Feldman's is the idea that becoming aware of a peer disagreement affects the degree of confidence one ought to have toward p . But if (C2*) isn't evidence for (C3*) – if (C2*) is only evidence for (C1*), as Kelly thinks – then discovering a peer's disagreement does not provide one with evidence regarding p itself. If this is the right way to think about higher-order evidence, then discovering a peer's disagreement fails to provide one with evidence pertaining to the disputed belief.¹⁴⁶

Thus, Kelly's main point is this: the only way for our belief that p to be defeated by a peer's opposing belief that not- p is if our peer's opposing belief is falsifying evidence for p . But, Kelly continues, we shouldn't take our peer's opposing belief as falsifying evidence. Therefore, our peer's opposing belief isn't a defeater for own belief. Now we can clearly state the implicit assumption that Kelly's argument rests on:

(Assumption) S1's belief that p can only be defeated by S2's belief that not- p if we treat S2's belief that not- p as falsifying evidence for p itself.

So, it seems Kelly assumes that the only way for one's belief that p to be defeated is if we treat his peer's belief that not- p as evidence indicating that p is false. This is the same as saying that if a peer's opposing belief is to count as a defeater, then it must come in the form of a rebutting defeater. Rebutting defeaters are simply counter-evidence. A rebutting defeater for believing p is a reason to disbelieve p to one degree or another. In contrast to rebutting defeaters, undercutting (or undermining) defeaters are not evidence that proposition p is false. An undermining defeater is a reason that attacks the connection between your belief in p and its grounds. Importantly, such

¹⁴⁶ Ibid.

a defeater is consistent with p 's being true, but it removes or neutralizes the grounds so that believing p to one degree or another becomes irrational.¹⁴⁷

Why would Kelly restrict the manner in which one's belief that p can be defeated by a peer's opposing belief to rebutting defeaters only? I'm not sure exactly. But this is what he does in his 2005 essay "The Epistemic Significance of Disagreement," from which the objection that we are currently dealing with comes. In his analysis there he argues for why we shouldn't think of a peer's opposing belief as 'evidence *for* or *against* p ' and that is where he ends the matter.¹⁴⁸ But this says nothing about whether a peer's opposing belief might be an undercutting defeater. An undercutting defeater can defeat one's justification for believing p , and yet such a defeater wouldn't come in the form of evidence for or against p .

With this assumption now exposed, consider again these three claims, with one additional claim:

(C1*): E is good evidence that p is *not* true.

(C2*): S believes *not-p* on the basis of E.

(C3*): p is *false*.

(C4*): One is *not* justified in believing p on the basis of E.

(C2*) is higher-order evidence supporting (C1*). Kelly accepts this, since he thinks higher-order evidence is evidence about what one's first-order evidence E supports. But notice, if we have a reason to think that E is *not* good evidence that p is true, then it seems we will also have a *prima facie* reason to think that one is not justified in believing p on the basis of E. In other words, I think that if (C2*) is evidence for (C1*), then (C1*) will be evidence for (C4*) to some degree. If this is right, then the fact that one's peer believes *not-p* on the basis of E is a *prima facie* defeater for one's own belief that p on the basis of E. A peer's opposing belief, then, would

¹⁴⁷ Ballantyne, "The Significance of Unpossessed Evidence," 318-319.

¹⁴⁸ Kelly, "The Epistemic Significance of Disagreement," 185-190.

undermine the justification of one's own belief, without saying anything about whether the belief is true or false.

Thus, if Kelly accepts that (C2*) is evidence for (C1*), then I think he should also accept that (C1*) is at least some reason to accept (C4*). In his 2005 essay "The Epistemic Significance of Disagreement" Kelly doesn't make this move because he doesn't think that higher-order evidence about what one's first-order evidence supports is typically relevant to what it is reasonable to believe on the basis of that evidence. I think this claim is misguided. If we think that higher-order evidence is evidence about what one's first-order evidence supports, then that higher-order evidence will have implications, at the very least indirectly, but importantly nonetheless, for the reasonableness of beliefs based on that first-order evidence.

I won't argue for this view of higher-order evidence here, since Kelly himself has revised his view of higher-order evidence and now thinks that the higher-order evidence provided by a peer's disagreement is always epistemically significant and has an impact on the justification of the disputed belief.¹⁴⁹ Kelly says in his 2010 essay "Peer Disagreement and Higher-Order

¹⁴⁹ While I won't argue in the text above for the view that higher-order evidence impacts the justification of beliefs based on one's first-order evidence, which Kelly now accepts, I will offer an example here for why I think this view of higher-order evidence is right. Suppose Smith is an anesthesiologist, trying to determine which dosage of pain medication is best for his patient: A or B. To figure this out, Smith assesses some fairly complex medical evidence. When evaluated correctly, this kind of evidence determines which dose is right for the patient. After thinking hard about the evidence, Smith becomes highly confident that dose B is right. In fact, Smith has reasoned correctly; his evidence strongly supports that B is the correct dose.

Then Jones, the chef at the hospital's cafeteria, rushes in. "Don't administer that drug just yet," he says guiltily. "You're not in a position to properly assess that medical evidence. I slipped some reason-distorting mushrooms into your lunch earlier as a prank. These mushrooms make you much less reliable at determining which dose the evidence supports: in the circumstances you presently face – evaluating this type of medical evidence, under the influence of my mushrooms – doctors like you only tend to prescribe the right dose 60 % of the time!" In fact, Jones is mistaken: the mushrooms he used were just regular dried mushrooms, and Smith's reasoning is not impaired in the least. But neither Jones nor Smith knows (nor has reason to suspect) this.

Jones' telling Smith about the reason-distorting mushrooms is higher-order evidence for Smith. Smith originally concluded on the basis of his first-order evidence that dose B was right for the patient. But now his justification for believing that dose B is right has been threatened by Jones' report. If Kelly's original view of higher-order evidence is right, then it would be rational for Smith to respond like this: "Sure, Jones, you've drugged me; but I must be immune to the drug's effects. After all, I'm highly confident that dose B is right, *and* my evidence supports it!" A response like this doesn't seem rational. So it seems we have reason to think that higher-order evidence *does* have a bearing on what it is reasonable for one to believe on the basis of his first-order evidence. This

Evidence” that he now holds that “higher-order evidence about the bearing of one’s first-order evidence *is* typically relevant to what it is reasonable to believe on the basis of that evidence.”¹⁵⁰ Kelly further says that when we learn of a peer’s opposing belief that not-*p*, this has a moderating impact and tends to push what it is reasonable for us to believe about *p* in the direction of agnosticism.¹⁵¹ While Kelly now thinks that a peer’s opposing belief will have this moderating impact on the justification of our own belief, he still argues that no significant revision of belief or suspension of judgment needs to happen in peer disagreements. He argues that even if a peer’s opposing belief impacts the justification of one’s own belief, one can still be justified in sticking to his guns in a disagreement. Kelly’s argument for this is the subject of the next section.

In the end, we have seen in this section that Kelly’s first major objection to conciliatory views like Feldman’s, offered in his 2005 essay “The Epistemic Significance of Disagreement,” is based on an argument meant to show that a peer’s opposing belief shouldn’t be considered as counter-evidence to one’s own belief. If we shouldn’t consider a peer’s opposing belief as counter-evidence, then we shouldn’t think of a peer’s opposing belief as defeating the justification for our own belief. We can agree with Kelly that there may be good reasons to think that a peer’s opposing belief doesn’t qualify as counter-evidence. However, defeating a belief with counter-evidence isn’t the only way to defeat a belief. A belief’s justification can be undermined, and in that sense defeated, simply if we have reason to doubt the adequacy of the

example comes from Paulina Silva and Sophie Horowitz’s article “Respecting *all* the Evidence” (*Philosophical Studies* 172, no. 11, 2015), 2836, 2838.

¹⁵⁰ Kelly, “Peer Disagreement and Higher-Order Evidence,” in *Disagreement*, eds. Richard Feldman and Ted A. Warfield (New York, NY: Oxford University Press, 2010), 138-139.

¹⁵¹ *Ibid.*, 143.

connection between one's belief and its grounds. Feldman's claim is that a peer's belief that not- p on the basis of E is evidence that it is not reasonable to believe p on the basis of E . If this is right, then our rationality in believing p on the basis of E is threatened. It seems that Kelly's first objection has done little to remove this threat.

The Import of Correctly Assessing First-Order Evidence

The second major objection Kelly gave in his 2005 essay "The Epistemic Significance of Disagreement" to conciliatory views like Feldman's is that, *even if* we assume that a peer's belief does count as evidence that impacts the justification of one's own belief, it wouldn't follow that this evidence would completely eliminate one's justification for believing as he does. As we saw in the last section, this is no longer just an 'even if' argument for Kelly, since he now thinks that higher-order evidence has at least some influence on what it is rational for one to believe on the basis of the first-order evidence. But even granting this, Kelly argues that one can still be justified in sticking to the disputed belief.

Kelly says to suppose that you and I share the same first-order evidence E . You form the reasonable belief that p on the basis of E , while I form the unreasonable belief that not- p on the basis of E . Objectively, E is such as to rationalize the belief that p . So in this case, you properly evaluated our evidence E , while I have badly misjudged it. This means that there is an asymmetry in the epistemic statuses of our respective beliefs, due simply to the fact that E *really does* support p and does not support not- p . Suppose next that we become aware of our disagreement. Now our total evidence with respect to p has changed.

Our new total evidence E^* will include the following:

- $E^* =$ (i) the original, first-order evidence E ,
- (ii) the fact that you believe p on the basis of E , and

(iii) the fact that I believe not- p on the basis of E.¹⁵²

Kelly now says that the addition of (ii) and (iii) to our original evidence will make at least some difference to what it is reasonable for us to believe. (In his 2005 essay Kelly had argued that (ii) and (iii) wouldn't make any difference.) Once (ii) and (iii) are added to our original evidence, a greater proportion of our total evidence supports an attitude of agnosticism than was previously the case. In other words, the evidence available to us now is on the whole less supportive of p than before. However, Kelly says that this result doesn't mean that the new evidence E^* will invariably mandate an attitude of suspension of belief with respect to p . Given that E is a substantial body of evidence that strongly favors p over not- p , we would expect that E^* will also favor p over not- p , although not to as great a degree as E does.¹⁵³

Thus, to Kelly, there is no reason to think that your continuing to believe p is unreasonable on evidence E^* given that it was reasonable when your total evidence consisted of just E. Our original evidence E doesn't just vanish or become irrelevant once we learn what the other person believes on the basis of that evidence. Kelly says that when E is genuinely good evidence for p , this very fact will contribute to the justification for believing that E is good evidence for p – a fact that is available for those with the relevant competence.

So in a case of disagreement in which one of the two peers evaluates the first-order evidence correctly, Kelly argues that the peer whose view more accurately reflects the evidence will typically be better justified in thinking that his view is the one that is favored by the first-order evidence. Since one of the peers' views will more accurately reflect the import of the first-order evidence, this creates an asymmetry at the first-order level. This asymmetry at the lower

¹⁵² Kelly, "The Epistemic Significance of Disagreement," 190.

¹⁵³ Kelly, "Peer Disagreement and Higher-Order Evidence," 143.

level tends to create an asymmetry at the higher-level, an asymmetry that otherwise would not have existed. The asymmetry created at the higher level is constituted by the fact that now one of the peers is more reliable on the question of whether p , since he more accurately evaluated the first-order evidence, while the other peer misjudged the evidence and so is less reliable than his peer. The upshot of this is that, given the asymmetry, one will have a rational reason to favor his own view and justifiably stick to his original belief, contra Feldman's conciliatory view.¹⁵⁴

I think that Kelly's argument here is based on an externalist idea of justification that evidentialists like Feldman wouldn't grant. To draw this out, let's suppose with Kelly that you believe p on the basis of E , I believe $\text{not-}p$ on the basis of E , and that E actually supports p . Notice here that we both share the same set of evidence E , so there isn't any evidence you have that I lack. This means that I am fully aware of your reasons for thinking that E supports p . However, I disagree with you. Given our shared evidence, I think that E supports $\text{not-}p$. Thus, on the basis of the very same evidence E , I form the belief that E actually supports $\text{not-}p$, while you hold the belief that E actually supports p .

Now, in this case, it turns out that my belief is wrong, and yours is correct: E actually does support p metaphysically. In other words, if one were looking from an omniscient, objective perspective one would see that E actually supports p , and it does not support $\text{not-}p$. But notice that, while E actually supports p is a fact, it isn't a fact that is a part of our shared evidence E . This is why I was able to (mistakenly) think that E supports $\text{not-}p$. Your thinking that E actually supports p is an *assessment* based on E , but not something contained in E itself. Similarly, my thinking that E actually supports $\text{not-}p$ is an assessment based on E , but not something contained in E itself.

¹⁵⁴ Ibid., 159-160.

So, what you and I disagree about is the *evaluation* of the first-order evidence. To be justified in our own assessment of whether p on the basis of E , we must offer compelling reasons in favor of our own evaluation of the first-order evidence E . This is the whole point of our debate. Hence, even if it is a fact (from an external perspective) that E actually supports p , and that there is an asymmetry between our beliefs in this way, as Kelly claims, you still need to come up with compelling reasons for thinking that you have in fact adequately evaluated E , and hence that E does actually support your own view. Simply claiming that E actually does support p and so justifies you in your belief seems to be an arbitrary move.¹⁵⁵ David Enoch says that we should think of the peer disagreement itself as playing a role similar to that of an omniscient referee who tells two thinkers “one of you is mistaken with regard to p .” It is very hard to believe that the epistemically responsible way to respond to such a referee differs between the two parties, and so it is very hard to believe that the epistemic significance of the disagreement itself is asymmetrical in the way Kelly suggests.¹⁵⁶

So, what independent reason do you have indicating that E actually supports p ? If you and I are thinking about whether p simply on the basis of our shared evidence E , as Kelly says we are, then for you to be justified in thinking that your assessment of E is correct and mine is wrong, you would have to have access to some reason that is additional to E that indicates this to you. To Kelly, the fact that E actually supports p metaphysically, from an external point of view,

¹⁵⁵ Diego E. Machuca, “A Neo-Pyrrhonian Approach to the Epistemology of Disagreement,” in *Disagreement and Skepticism*, ed. Diego E. Machuca (New York, NY: Routledge, 2013), 76-77.

¹⁵⁶ Enoch, “Not Just a Truthometer,” 967. To press this point another way, Enoch says to imagine a concerned thinker who asks her friendly neighborhood epistemologist for advice about the proper way of taking into account peer disagreement. Kelly responds, “Well, it depends. If you have responded to the initial evidence rationally, do nothing; if you have not, revise your degree of belief so that it is closer to that of the peer you are in disagreement with.” But this is very disappointing advice. Enoch says that to be in a position to benefit from this advice, our concerned thinker must know whether she has responded rightly to the initial evidence. But, of course, had she known that, she would not have needed the advice of an epistemologist to begin with (Enoch, 968).

just *is* the additional, independent reason that makes you justified in continuing to believe that E supports *p*. However, why is it reasonable to think that you would have knowledge of this metaphysical fact? If *you* have access to it, then I don't see why *I* wouldn't, given that we're both just as intelligent and reliable thinkers. Importantly, if neither of us has access to the external fact that E actually supports *p*, then you cannot use this fact as a reason to favor your own view in the disagreement. Even if you are externally justified in thinking that E actually supports *p*, this isn't relevant to whether you have an epistemic right to continue believing that E supports *p* unless you have access to that fact. On the evidentialist view outlined earlier in this chapter, we saw that one must have internal access to the reasons that justify his belief. Thus, unless you can point to some reason that is additional to E that indicates that E really supports *p*, you won't be justified in continuing to prefer your own view over mine when we disagree about whether *p* on the basis of E.

I grant that Kelly is right in saying that there is an asymmetry present in peer disagreements when one of the peers has correctly assessed the first-order evidence. But from this it does not follow that the significance of the disagreement itself is likewise asymmetrical, since I argue that it would be difficult for the peer who has correctly assessed the first-order evidence to be in possession of an independent reason indicating this to him and giving him knowledge that the asymmetry is working in his justificatory favor. By arguing this way we aren't claiming that the first-order evidence should be ignored. Rather, it's just that the higher-order evidence (i.e., the peer's disagreement) serves as an undercutting defeater of the original evidence, in the sense that the conjunction of the original evidence and the higher-order evidence

fails to support proposition *p*. As Feldman says, “It is, in some ways, like what happens to the belief that an object is red when one learns that a red light is shining [on] it.”¹⁵⁷

Ultimately, the substance of Kelly’s second objection is that if one is actually justified in his belief that *p* (from an external standpoint), then one remains justified in his belief that *p* even after learning that his peer disagrees. But what’s important here isn’t whether one is externally justified in his belief, but whether one is *epistemically* justified in his belief. And I argue that, upon learning that one’s peer disagrees about whether *p*, one’s original epistemic justification for believing *p* gets undermined (whether or not one’s external justification does). While there will be an asymmetry of external justification present in such a disagreement, it seems unlikely that either of the peers would have access to this fact. If they lack access to this external asymmetry, then they cannot reason based on it. Thus, from their own perspectives what they will see is a symmetry that removes any rational basis for preferring their own views. And this is exactly why Feldman argues that they should suspend judgment:

Even if it is true that the arguments in fact favor one side in the debate, the outcome of the discussion includes the participants’ realization that for each thing one of them can say in support of his view, the other can say something analogous in support of the other view. To stick to one’s guns in such a situation is to fail to treat like cases alike.¹⁵⁸

Conclusion

In the end, it seems that neither Sosa’s objection from private evidence nor Kelly’s objections from first-order and higher-order considerations pose problems for Feldman’s conciliatory view. Thus, as Feldman says, it seems that in peer disagreements the reasonable thing to do is to give up beliefs that are otherwise well-supported. “This implies that . . . those

¹⁵⁷ Feldman, “Evidentialism, Higher-Order Evidence, and Disagreement” (*Episteme* 6, no. 3, 2009), 308.

¹⁵⁸ Feldman, “Respecting the Evidence,” 116.

generally reasonable agents with whom we disagree . . . can undermine our ordinary knowledge and justification.”¹⁵⁹

¹⁵⁹ Ibid., 117.

Concluding Remarks

A key feature of a peer disagreement is the symmetry of the situation. Feldman argues that two peers who are in a persistent, unresolved disagreement should suspend belief precisely because of this symmetry. Thus, the principle on which Feldman's view depends is that, when one doesn't have a rational basis to prefer one's own view, or any of the competing views, one must refrain from believing any of the views. I find this principle intuitively compelling. If one accepts this principle, then one must judge whether peer disagreements are real-life instances to which this principle applies.

There is disagreement about this. The aim of this thesis has been to argue that certain objections to the idea that peer disagreements *are* real-life instances to which this principle applies fall short. In particular, we have found that objections from the quarter of private evidence (Sosa), or from considerations of the competition between higher-order and first-order epistemic evaluations (Kelly), fail to introduce any relevant *asymmetries* that would provide a rational basis for preferring one's own position. If, then, real-life peer disagreements are cases where the relevant kind of symmetry exists between what one peer can offer in support of his view and what the other can offer in support of the opposite view, then neither peer has a rational basis for preferring his own view, and so, as Feldman argues, they should suspend judgment.¹⁶⁰

¹⁶⁰ In this thesis I only considered Sosa and Kelly's objections to Feldman's view. However, it is worth mentioning that a third common objection to conciliatory views like Feldman's is that they are self-defeating. In his essay "How to Disagree about How to Disagree" Adam Elga says that the trouble with conciliatory views like Feldman's is this: in many situations involving disagreement about disagreement, conciliatory views call for their own rejection. But it is incoherent for a view on disagreement to call for its own rejection. So, conciliatory views on disagreement are incoherent. To illustrate this point, Elga says to suppose that you have a conciliatory view on disagreement, but you find out that your respected friend disagrees. He has arrived at a competing view (about disagreement), and tells you all about it. If your conciliatory view is correct, then you should change your view. You should be pulled part way toward thinking that your friend is right. In other words, your view on disagreement requires you to give up your view on disagreement. Thus, a conciliatory view on disagreement like Feldman's gets into trouble because it requires one to be conciliatory about absolutely everything, even its own correctness (179).

Later in this essay Elga suggests a way in which conciliatory views can handle this objection. He says that instead of conciliatory views being *completely* conciliatory – i.e., counseling conciliation in every disagreement – such views can be *partially* conciliatory. A partially conciliatory view says that one should be moved by

As Feldman notes, his conclusion on these matters is a skeptical conclusion. This conclusion implies that “we may have less knowledge, or fewer justified beliefs, than we might have otherwise thought. It seems to have the discouraging implication that thinking about epistemology, and conversing with intelligent people who disagree with us, can undermine the justification we have for our beliefs.”¹⁶¹ To some, this result may be troubling.¹⁶² One may think that there is something wrong about a method that counsels suspension of judgment on important issues. I don’t think this result is as unsettling as it may seem, though. For Feldman, suspension of judgment is the right attitude in some cases of disagreement – where the relevant kind of symmetry is present – but surely not in all cases of disagreement. Many disagreements can be rationally resolved and suspending judgment is not the proper outcome.

disagreement (and revise one’s original belief) about some subject matters, but not about disagreement itself. It might look arbitrary for a view to recommend that one be conciliatory about most matters, but not about disagreement itself. But Elga says that no arbitrariness is required. Elga explains that it is in the nature of giving consistent advice that one’s advice be dogmatic with respect to its own correctness. Views on disagreement give advice on how to respond to evidence. So, in order to be consistent views on disagreement must be dogmatic with respect to their own correctness. In other words, the real reason for constraining conciliatory views is not specific to disagreement. Rather, the real reason is a completely general constraint that applies to any fundamental policy, rule, or method. In order to be consistent, a fundamental policy, rule, or method must be dogmatic with respect to its own correctness. This general constraint provides independent motivation for a view on disagreement to treat disagreement about disagreement in a special way. So partially conciliatory views need no ad hoc restrictions in order to avoid the self-undermining problem. They need only restrictions that are independently motivated, according to Elga (184-185). Thus, it doesn’t seem that Feldman’s conciliatory view is threatened by the objection that such views are self-defeating and so incoherent. Feldman’s view needn’t be construed as requiring that we suspend judgment in every disagreement. Rather, his view can be construed as a partially conciliatory view that says we ought to suspend judgment in most peer disagreements, but not when it comes to disagreement about disagreement itself. Disagreement about disagreement should be treated in a special way, as the considerations above about giving consistent advice indicate. For an in-depth consideration of this objection, see Elga, “How to Disagree about How to Disagree,” in *Disagreement*, eds. Richard Feldman and Ted A. Warfield (New York, NY: Oxford University Press, 2010), 175-187.

¹⁶¹ Feldman, “Respecting the Evidence” (*Philosophical Perspectives* 19, no. 1, 2005), 117.

¹⁶² Recall that Feldman’s view on disagreement flows from his evidentialist-internalist view. Thus, if one finds Feldman’s conclusions on disagreement to be troubling, then perhaps this gives one a reason to think that evidentialism is an inadequate view, and should be supplemented by or exchanged for some type of externalist view of knowledge and justification.

Further, even where suspension of judgment is the proper result, this is “neither an awful outcome nor something that should make the process seem pointless.”¹⁶³ If one has a belief about an issue and further investigation rationally leads to the result that one ought to suspend judgment, then the investigation has made a kind of progress. One will have learned that one’s earlier view depended upon a deeper principle that, on reflection, is not well supported. If this is in fact correct, then it is difficult to see what is bad about finding that out.¹⁶⁴

I think that the call for suspending judgment in peer disagreements is also a call for modesty about the scope of rational belief. When we hold a belief confidently and then find out that an epistemic peer disagrees, a significant reduction of confidence is called for – suspension of judgment is called for, if one is persuaded by Feldman’s thinking. But nothing about this conclusion means that we should stop trying to discern the truth. It means living with reasonable doubt about some controversial matters. As Nathan Ballantyne says, “It means intellectual matters are often mysterious.”¹⁶⁵ Having epistemic modesty in recognition of the fact that intellectual matters are often mysterious, and show themselves to be so in peer disagreements especially, doesn’t seem to be a bad thing. In some cases, it is virtuous to be silent, to refrain from confidently saying, “This is how things are.”

Finally, I offer a conjecture. Why is it that two peers, two individuals who are just as intelligent and well-informed, would have protracted disagreements; why is it that experts in certain fields, especially like philosophy, would have seemingly unending disagreements? My hunch is that David Christensen’s answer to this question is very near to whatever the right

¹⁶³ Feldman, “Deep Disagreement, Rational Resolutions, and Critical Thinking” (*Informal Logic* 25, no. 1, 2005), 22.

¹⁶⁴ *Ibid.*

¹⁶⁵ Ballantyne, “The Significance of Unpossessed Evidence” (*The Philosophical Quarterly* 65, no. 260, 2015), 331.

answer is: “disagreement flourishes when epistemic conditions are bad.” When evidence is meager, or when, due to our emotional or intellectual limitations, we are not very good at reacting correctly to the evidence, disagreement flourishes. As Christensen says, “To focus in on my own field, I think that we should all acknowledge that epistemic conditions are not so great in philosophy.”¹⁶⁶ I’m inclined to think this is right. I end with an observation from Descartes regarding the same matter:

Of philosophy I will say nothing, except that when I saw that it had been cultivated for many ages by the most distinguished men, and that yet there is not a single matter within its sphere which is not still in dispute, and nothing, therefore, which is above doubt, I did not presume to anticipate that my success would be greater in it than that of others.¹⁶⁷

¹⁶⁶ Christensen, “Epistemology of Disagreement: The Good News” (*Philosophical Review* 116, no. 2, 2007), 214.

¹⁶⁷ Descartes, *Discourse on Method* (New York, NY: Barnes & Noble, Inc., 2004), 8.

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