



2021

Political Justificationism: A More Realistic Epistemology of Political Disagreement

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LOYOLA UNIVERSITY CHICAGO

POLITICAL JUSTIFICATIONISM: A MORE REALISTIC EPISTEMOLOGY OF
POLITICAL DISAGREEMENT

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAM IN PHILOSOPHY

BY

JAY CARLSON

CHICAGO, IL

MAY 2021

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ACKNOWLEDGEMENTS

I was first turned to the topic of epistemology of disagreement around Fall of 2009 when I was doing an independent study with Jim Keller on Whitehead's Process and Reality. During our meetings I liked sidetracking our metaphysical discussions with epistemological tangents. Being the kind-natured person that he was, he often graciously obliged. As I recall, during one of these discussions he mentioned some then recently published articles on the epistemology of disagreement from David Christensen and Thomas Kelly. My interest was piqued. The rest, as they say, is history. Jim passed away in 2016. While he never saw the end result of this, I'm grateful for him setting me on this path. Hopefully the traces of his personal and philosophical energy live on in these pages.

This dissertation benefited from an excellent committee. When I came to David Ingram fairly late in my fourth year with a bunch of loose ideas for a dissertation, he enthusiastically jumped on board and got me back on track. He provided a lot of kind and helpful feedback on far more drafts than I knew what to do with. The direction and guidance he gave was always helpful and kind, and firm when it needed to be. The other committee members, Paul Moser and Kristen Irwin, were also very helpful in meeting with me throughout the proposal and writing phases. I'm grateful for their perceptive questions. Even two years later, I still think about Paul's first question during my proposal defense: "What reason is there to think *any* of this is true?" As brusque as that sounds now, it was a genuinely helpful question, and I am grateful for him asking that so flat-footedly. Hopefully I've made a better attempt to answer that question here than I did

then. For Kristen, I'll always be thankful sitting in her office while she diagrammed out this entire project on her whiteboard, and then critically examining each stage. This project would have been significantly worse without her support. The many remaining errors in this project, though, are mine alone.

This project also benefitted from audiences at several conferences and workshops: among them Loyola's Social, Political, and Legal Philosophy Workshop, the Great Lakes Conference, UMSL Gateway Graduate Conference, Northwestern's Epistemology Brown Bag, "Disagreement and Philosophy" Conference at Ryerson University, and "Disagreements: From Theory to Practice" at the University of Tartu, "Democratic Renewal in Polarized Times" at Katholieke Universiteit Leuven.

The conversations I had at these conferences all left an impression on me, and always made my work better. I'm also grateful for David Godden, Patrick Bondy, and Bruno Mölder for editing several pieces of this dissertation and giving me the opportunity to publish parts of it in their respective issues of *Topoi* and *Trames*. I also want to acknowledge Leland Harper for including the final chapter in his forthcoming volume tentatively titled *Crisis of American Democracy*.

The life of the mind requires material support, and I'm grateful to Loyola University not only for my Doctoral Merit Award, but also for awarding me the Crown Fellowship so that I could spend a year working on completing this without any teaching commitments. I am grateful for these honors and support. I also thank the Loyola Graduate Workers' Union for their attempts to make that material support better. Finally, I want to thank my wife, Laura, for her love and encouragement throughout this whole process. Her support was kind when I needed comfort, pointed when I needed cajoling, but always loving and thoughtful.

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Figure 1. A 4-Box Approach to Political Disagreement

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ABSTRACT

Disagreement is probably the most salient feature of our contemporary political environment. This project aims to examine political disagreements from the perspective of the recent discussions of the epistemology of disagreement more generally. Some, known as conciliationists, argue that when confronted with a disagreement with someone who is equally knowledgeable and well-informed as you are on the issue (known as an “epistemic peer”), one should become substantially less confident in that antecedently held belief. While some have tried to straightforwardly apply the conciliationist approach to political disagreements, I argue that such an approach makes us vulnerable to significant cognitive biases of groupthink and conformity. Instead, I argue that a more satisfactory epistemology of political disagreements has to take a more fine-grained approach to the kind of disagreement taking place: for any given political disagreement, whether (and to what extent) one should adjust one’s confidence, the content, or the policy one wants probably depends on whether it is over a fact or a value, whether it is deep or narrow, reasonable or unreasonable. The impact of this more variable and particularist approach to disagreement suggests that the epistemic requirements for political liberalism are much more lenient than some conciliationists suggest; we can respond to political disagreements by adopting stances of intellectual humility, seeking overlapping reasons, and even adopting compromises, without becoming substantially more skeptical about our political judgments. We can also use this moderate approach conforms with some recent empirical results

on deliberative democracy and provides a theoretical foundation to deal with political disagreements in a more productive manner.

CHAPTER ONE

INTRODUCTION AND CHAPTER OVERVIEWS

Disagreement is probably the most salient feature of our contemporary political environment. Whether it is about abortion access, welfare funding, firearm regulation, pollution controls, same-sex marriages, tax rates, defense spending, and many more besides, almost any current political topic generates substantial degrees and amounts of disagreement. While vitriolic political disagreement is hardly unprecedented in history, the amount of it we encounter in our daily lives seems to have increased dramatically in the last few years. It is hard to open a newspaper, watch the news, or scroll through social media and not be inundated by whatever political controversy is currently coursing through society. Various problems in different areas of society are often traced back to some sort of political disagreement. For instance, persistent and intractable disagreement is one of the major reasons for the gridlock affecting legislatures like the U.S. Congress. When the most liberal Republican in Congress is more conservative than the most conservative Democrat—and vice versa—it is not hard to see why they often cannot agree on what laws and policies should be adopted. The resultant inaction has made the recent meetings of Congress some of the least productive in that body’s history (Desilver, 2018). In a recent survey by the Chicago Council on Global Affairs and the Texas National Security Network, foreign policy experts identified political polarization and disagreement as the most significant foreign policy threat to the U.S. (Smeltz et al., 2018). Political disagreement even spills over into our personal lives, with one study suggesting that 22% of Americans know of a

couple who have been negatively affected by political disagreement surrounding the 2016 U.S. Presidential election (Wakefield Research, 2017). A 2012 episode of *This American Life* interviews several people whose friendships ended once their political leanings or affiliation were revealed (This American Life, 2012).

We also see many pundits decrying the acrimonious political culture surrounding these disagreements. Columnist Bret Stephens (2017) at the *New York Times* attributes the toxic nature of contemporary discourse to our abandonment of the art of disagreement, our unwillingness to “make eye contact with our opponents, or try to see things as they might, or find some middle ground.” A former head of the American Enterprise Institute thinks tank Arthur Brooks (2018) argues that nowadays we argue contemptuously, in a way that disregards the value of our political opponent. Political disagreement is also intimately bound up with many people’s distrust of mainstream news sources. Many are deeply skeptical of even the most well-researched and reported finding that is critical of their position. Yet, some people easily fall prey to inflammatory headlines, misleading statements, and sometimes even outright false stories and so-called “fake news” if it is more congenial to the antecedent attitudes of their political “tribe.” David Roberts (2017) calls this believing whatever supports the goals or values of one’s political party “tribal epistemology.”

The dearth of rationality in our political disagreements is not merely superficial. Cognitive psychologist Jonathan Haidt (2012) notes that many of our moral and political beliefs are at their foundation just intuitions, feelings, that certain things are right and wrong: indignation at someone who clubs baby seals, suspicion towards someone who looks or sounds foreign, disgust at someone using an American flag as a dustrag. Haidt argues that while we

might think we hold these moral views for justified reasons that we can give in defense of them, that is a misconception; we hold these views, even when our reasoning for them drops away. Our reasoning is just post hoc rationalization that we give for the intuitions we already have. This is relevant to political disagreement because conservative people and liberal people tend to base their political attitudes on different moral foundations: while liberals' political attitudes appeal exclusively to the foundations of harm and fairness, conservatives' attitudes tend to include those as well as foundations of loyalty, authority, and sanctity (Haidt 2012, p. 139). If Haidt is right, then political disagreements, as it were, go all the way down. But they also start to affect our very reasoning as well. Dan Kahan has argued that even well-educated, mathematically literate people use various forms of motivated reasoning to protect and shore up their own political identities; in fact, they might even be some of the most frequent users of this "identity-protective cognition" (Kahan et al., 2017; Inazu, 2014, p. 589). Whether these commentators are correct in their specific analyses of our contemporary political discourse, they do articulate a felt anxiety about how to understand and address the many forms of political disagreement.

A (Selective) Introduction to the Epistemology of Disagreement

Mostly isolated from this maelstrom of political conflict, some epistemologists have been working on how we should approach disagreement from an epistemological perspective. I will start with a brief, albeit selective, introduction to the general questions of the epistemology of disagreement. When we encounter those who disagree with us on a given issue, what should that mean for our beliefs? Are we still justified in still holding them in light of that stable disagreement? Not every single disagreement motivates these questions. For example, if you are having a dispute on a matter where you are an expert and the other person is a novice, that

disagreement is generally not any reason to think you should alter belief much at all. While this asymmetric kind of disagreement might not motivate any significant epistemic issues, disagreements that involve more parity between the disputants might prove more troubling. Suppose the disputants are what epistemologists call “epistemic peers,” where they are equally knowledgeable on that issue and share a given set of evidence in common (Feldman & Warfield, 2010, pp. 1-2). Epistemic peers are thus on a par with each other: neither one is (epistemically speaking) better positioned to be correct on the issue than the other. Some philosophers suggest that the epistemically justified thing to do in the face of disagreement with one’s epistemic peer is to modify one’s opinion in the direction of one’s peers. This perspective, known as conciliationism, can take many different forms, from “splitting the difference” between the respective views to both sides suspending judgment (Christensen, 2007; Christensen, 2009). The motivation for adopting this kind of epistemic conciliation is twofold. First, adopting a conciliatory stance to disagreement is “to prevent blatantly question-begging dismissals of the evidence provided by the disagreement of others” (Christensen, 2011, p. 2). The second motivation comes from recognition and precaution against our epistemic fallibility. The presence of disagreement from someone who is an epistemic peer provides at least some prima facie evidence that someone has made a mistake. It might be the case that an epistemic peer who is usually well-positioned to get the right answer has made an uncharacteristic error in the given instance. But if one had reason to think they had made such a mistake, then this would undermine the claim that she is an epistemic peer (at least for the question at hand). In the absence of some specific reason to think she has made a mistake—notably one independent of one’s reasoning about the disputed issue—it seems epistemically presumptuous to think that the

disagreement is due to the other person's error instead of one's own (Christensen 2009, p. 198). In a way, to maintain one's beliefs in the face of this kind of peer disagreement seems indicative of an unjustifiably dogmatic and even question-begging preference toward one's own beliefs. Others push back against the conciliationist idea that disagreement necessarily defeats the prior justification for one's beliefs. Richard Foley (2000) argues that it is rational to maintain some basic level of self-confidence in one's faculties: "I am entitled to make what I can of the conflict using the faculties, procedures, and opinions I have confidence in, even if these faculties, procedures, and opinions are the very ones being challenged by others" (p. 79). Anti-conciliationists like Foley argue that the sort of epistemic conformism that conciliationists advocate seems to require people to abandon their positions too quickly and disregard the first-order evidence that presumably justified their position in the first place. In the words of Philip Pettit (2006), to always shift one's views to accommodate the perspective of others—even peers—can constitute "an abdication of epistemic responsibility: a failure to take seriously the evidence as it presents itself to your mind" (p. 181). On this second view, known as the steadfast or nonconformist approach, it can be rational to maintain one's belief even in the face of unresolvable disagreement with one's epistemic peers.

Others have taken a more nuanced approach, claiming that how one should respond to disagreement depends on what one's current total evidence suggests (Kelly, 2010) or which position has the most epistemic justification to support it (Lackey, 2012). On these accounts, in a disagreement, one only adjusts one's belief if the dispute itself radically alters one's total evidence—say by providing evidence that outweighs one's prior evidence or a defeater that counteracts one's justification. To articulate what these respective approaches recommend in

situations of disagreement, they often analyze very idealized disputes, e.g. over the calculation of a bill (Christensen, 2009; Kornblith, 2010; Elga, 2005) or directions to a well-known restaurant (Lackey, 2010). Epistemologists constructing these scenarios take the characters in them to be epistemic peers who share all the relevant information and evidence, are equally reliable at getting the right answer on the given question, and nevertheless disagree on the foregrounded question.

One might wonder if the epistemology of disagreement discussion is even relevant for political disagreements. While discussing these cases might help determine the appropriate response in very idealized, narrowly defined cases of disagreement, it is hard to see how they would help deal with more realistic cases, where it is highly unlikely that two people share all the relevant evidence about the question, are equally well-informed and competent on it, and so on. Many, perhaps even the majority, of political disagreements do not involve epistemic peers in the sense defined above: many disputants are wildly misinformed, differ widely in their reasoning capacities, trust in sources of varying reliability, and frequently adopt political attitudes in unreasonable ways (Mulligan, 2016). Since this literature has focused almost exclusively on peer disagreements, it is hard to see what relevance it would have outside of that narrow, idealized band where epistemic peerhood obtains. Some have wondered how such a project is possible, given that the parameters of these cases are drastically different than even the simplest instance of real-world political disagreement.

Another reason to think that epistemology of disagreement is ill-suited and irrelevant for political disagreements is that the issues that concern political philosophers are quite different than those that concern epistemologists. Elizabeth Edenberg and Michael Hannon (forthcoming)

points out that when evaluating a political disagreement from the epistemological perspective, we are concerned with whether two people should revise their beliefs in light of this dispute: are they epistemic peers? Are they relying on the same sources of information? Is one of them overlooking or ignoring a key piece of evidence? Conversely, from the perspective of political philosophy, the significance of a disagreement is how there can be a just society and a legitimate government over deep disagreements among citizens. Matters like epistemic parity central to the epistemological analysis are neither necessary nor sufficient for these matters of justice and legitimacy. Answering one set of questions does not help address the other set. While Edenberg's point is well taken, there are places where addressing political questions will invariably involve at least some attention to epistemic questions. For instance, to distinguish reasonable disagreements from unreasonable ones—that is, which disputes should be taken seriously and which ones we can justifiably ignore—it seems like we have to refer to whether the beliefs involved meeting at least some kind of rational or epistemic criteria. The same may be true in the opposite direction too, where the epistemic quality of a disagreement may involve some of its political features, like which interlocutors were involved in its formation, what processes or methods were used, and so on. While political and epistemological questions are not coextensive, we should be attentive to places where they might remain relevant to each other.

Chapter Overviews

Despite these concerns about the viability of an epistemology of political disagreement, there have been some attempts to develop an epistemology of political disagreement from the generic epistemological discussion of disagreement. In Chapter Two, I will discuss one such approach, namely the epistemology developed by Martin Ebeling (2017). He attempts to apply a

fairly strong conciliatory approach to political disagreement. Ebeling argues that when democratic citizens disagree with their peers on political issues, they are rationally compelled to achieve full epistemic conciliation--in the sense of coming to complete agreement--with each other. To illustrate Ebeling's variety of conciliationism, he gives the case of five legislators that disagree about what the top tax rate is just: legislator A says 40%, legislator B says 50%, C says 60%, D says 70%, and E says 80%. Ebeling argues that if they are epistemic peers with each other—if they share all the same evidence that leads them to their respective positions, the same moral beliefs about what just taxation is, etc.—then they are required to achieve full epistemic conciliation with each other, which in this case would be 60% (p. 173). I will argue that by compelling individuals to reach full epistemic conciliation, this approach exposes us to increased risk of several cognitive biases like groupthink and epistemically marginalizes people who hold minority positions. Contrary to its stated intention, a conciliationist approach may therefore exacerbate existing epistemic pathologies that are at play in many of our political disputes.

I think there is good reason to be dissatisfied with both straightforward conciliationism or steadfast approaches to political disagreement. Catherine Elgin (2010) nicely captures this dissatisfaction, that conciliationist and steadfast approaches give us the undesirable choice between spinelessness and stubbornness (pp. 57-58). Fortunately, there is a range of other responses we can take to political disagreements that are between these poles that are neither wholly conciliatory nor steadfast. In Chapter Three, I will outline and defend a distinctive epistemology of political disagreement. I want to focus on three different levels of responses: confidence, content, and policy. I propose an approach to political disagreement that I call “political justificationism.” The term “justificationist” aspect of this position follows from

Jennifer Lackey's (2010) approach by that same name. I develop her view in two novel ways: first, by taking it in a more particularist orientation—instead of the more generalist valence that is assumed in most epistemologies of disagreement. Second, I argue that how one should respond to a political disagreement can include not only purely epistemic considerations but also practical ones. Perhaps the most complicating factor for political disagreement is that there are lots of different types of disagreements. This approach is a more fine-grained, particularist account that is sensitive to how the dimensions of a dispute interact in a specific situation. Political disagreements differ along at least four different dimensions: subject matter, scope, genealogy, and urgency. They can be about facts or values, depending on whether they are about descriptions of the world that are relevant to policy or political matters or norms that ought to guide our various political actions. Their scope can be deep or shallow, depending on how widespread the disagreements are between two people. Disagreements can arise from different genealogical sources, whether from different people making reasonable use of their rational powers of judgment or from systematically irrational processes. Finally, while certain disagreements—like informal disputes on social media—are non-urgent in the sense that they do not require a decision of any kind, there are other disputes—like those between legislators on the content of bills—where the participants cannot simply “agree to disagree.” On this account, what one should do (epistemically speaking) in a given political disagreement depends greatly on some features of dispute, among them what kind of disagreement it is, whether practical urgencies are at stake, even the social positions of the interlocutors in question.

Just as there are many types of political disagreement, there are also different types of responses to disagreement. I will focus on three distinct levels of responses: confidence-

adjustments, content-adjustments, and policy-adjustments. A disagreement could lead one to adjust one's confidence, whether that means coming closer to the opposing side (conciliation), further away (polarization), or become more agnostic. One could also adjust the content of one's beliefs by incorporating previously unrecognized arguments or reasons from the other side or just reject one's beliefs entirely. Finally, one can respond at the level of policy or plan, where one comes to agree on a plan that guides the action of all the disputing parties. One can respond to a disagreement at these different levels, depending on the context and features of the dispute in question. To what extent are the responses at these respective levels independent of each other? Is one required to adjust one's beliefs to participate in political disagreement, in the way that some theorists about epistemic humility suggest? Is one required to adjust one's beliefs in some way to conciliate at the level of a plan or policy, as some public reason advocates claim, or can one maintain one's beliefs while still coming to agree on a plan with those you disagree with? I am going to argue that there is not a simple, straightforward formula for answering these questions. This is not a reason to despair though. The model of casuistry in medical ethics provides us a model of how to deal with cases that involve many competing factors even in the absence of strong *prima facie* principles about what to do. Taken together, political justificationism's multi-tiered approach provides us with a more modest and moderate approach to political disagreement than a purer form of conciliationism.

What sort of value does this more particularist approach to political disagreement give us? In Chapter Four, I argue this fine-grained approach to political disagreement allows us to answer one issue about disagreement as it relates to political liberalism. Many critics of political liberalism have questioned its epistemic foundations. Most recently, Han van Wietmarschen

(2018) has argued that the presence of disagreement combined with the requirements of reasonable citizenship put significant pressure on a person to radically alter her beliefs that she knows other reasonable people dispute. Concerning these “sectarian” beliefs, van Wietmarschen argues that one can either say that one has no peer concerning that belief, or one must view them as unjustified (pp. 486-489). Though this concern about the epistemic requirements of citizenship reflects a larger epistemic and moral criticism of public reason liberalism, van Wietmarschen is distinctive in that he grounds his argument in a conciliationist approach. I argue that my more moderate account of political justificationism defended in chapter 2 allows us to see what is wrong with van Wietmarschen’s criticism of political liberalism. While there are epistemic requirements involved in political liberalism, I think they are much more lenient and reasonable for citizens to meet. In a cosmopolitan society, many political disagreements need to be dealt with and resolved in various ways, but that does not necessarily require broadscale revision of people’s beliefs. Our responses to disagreements can be consistent with maintaining many of our beliefs.

Chapter Four will then break into two main sections. The first section will focus on the responses to disagreement at the confidence level. I would argue that the appropriate response to political disagreements does not require a full (or primarily) agnostic attitude toward one’s beliefs. One way to address disagreements is by modifying how confidently we hold the attitudes in question. We are often *overconfident* in our beliefs, in that we hold them more strongly than the evidence warrants, and conversely underestimate the value of perspectives that disagree with us. Overconfidence contributes to behaviors in the political domain from ideological polarization to partisan identification that even if not inherently bad, nevertheless contribute to destructive

ends in our political domains (Ortoleva & Snowberg, 2015). Of course, overconfidence being a problem does not mean that shying away from convictions altogether is the right approach either. Our political situation is problematic not just because, in the words of Bertrand Russell, that the “stupid are cocksure” but also that “the intelligent are full of doubt” (Russell, 2004, p. 204). The solution between overconfidence and what we might call underconfidence is adopting a stance of intellectual humility for our political beliefs. Intellectual humility has developed into a burgeoning field of study among philosophers and psychologists where we have appropriate confidence in our attitudes and cognizant of their limitations (Church & Samuelson 2016; Whitcomb et al., 2017). But it also involves being open to the possibility of discovering what one is unaware or insensitive to. An intellectually humble person is receptive to the ideas of those she disagrees with, that one is willing to give them fair hearings and listening to their points of view, rather than dismissing them out of hand. It involves exposing ourselves to what José Medina (2013) calls “epistemic friction,” situations and perspectives that might challenge and criticize our status quo beliefs. In the context of political disagreement, intellectual humility is about positioning oneself to encounter different perspectives and viewpoints that may reveal inadequacies in one’s point of view. Intellectual humility does not require rejection or overall scepticism about one’s beliefs. Indeed, one can even be adversarial about one’s beliefs while still being intellectually humble about them. Some of the founding figures of philosophy suggest that being humble and adversarial are quite compatible with each other.

The second part of Chapter Four will look at the content level of our political attitudes as they relate to the matter of public reason. If van Wietmarschen (2018) is correct, then fulfilling political liberalism’s epistemic requirements requires one to substantially modify one’s

contentious beliefs. That conclusion might be a consequence for some exclusivist understanding of public reason that has been developed by liberal scholars in the tradition of John Rawls (2005), where public reason requires consensus. But the development of more converging accounts of public reason from recent post-Rawlsians like Gerald Gaus and Kevin Vallier mitigate this kind of worry.

My development and defense of political justificationism as a moderate epistemology should provide some resources for how to address political disagreements more constructively. Yet, despite it answering many of these theoretical questions about disagreement, intellectual humility, and public reason, the worry is that this epistemology of disagreement is still trapped in the clouds of ideal theory, that it has very little to say about real-world disagreements and how it can help us think about disagreements in a more productive and less corrosive fashion. I take that task of connecting epistemology to real-world concerns seriously, and one to which philosophers (including epistemologists) should pay more attention. In the fifth and final chapter, I want to I will discuss how this moderate epistemology of political disagreement can help us approach political disputes more productively, despite our political discourse is in a very remedial state. Here I will draw on the “America in One Room” deliberative poll that James Fishkin and Larry Diamond (2019) have developed over the last few years. The results from those deliberative events suggest that people are more capable of engaging constructively across deep political disagreements than many people think. These empirical results are will also reflect on how we can develop our epistemic ideals. I will conclude by sketching an alternative account of epistemic peerhood that is better suited for many real-world disagreements than the prevailing accounts.

CHAPTER TWO

EPISTEMOLOGY OF DISAGREEMENT, BIAS, AND POLITICAL DELIBERATION: THE PROBLEMS FOR A CONCILIATORY DEMOCRACY

Introduction

In this paper, I will bring the epistemology of disagreement to bear on political deliberation. The epistemology of disagreement literature discusses several approaches to disagreement, some that advocate “splitting the difference” when in a dispute, while others recommend being steadfast in the face of disagreement. This literature has largely ignored the possibility that their recommended approaches could make epistemic agents vulnerable to both individual and group cognitive biases. This oversight has consequences for applying these approaches to real world disagreement. Martin Ebeling (2017) argues for a conciliationist approach in political disagreements: deliberative participants ought to pursue “an epistemic middle ground” in situations of moral and political disagreement with their epistemic peers. I argue that Ebeling’s conciliationist approach is problematic because the epistemic “splitting the difference” risks making participants vulnerable to certain cognitive biases endemic to the political domain, thereby increasing the epistemic risk of forming beliefs the way he recommends. These increased risks constitute partial defeaters for some of the beliefs we might acquire through this kind of conciliation. One possible way to avoid these sorts of biases and risks in situations of disagreement is to pay careful attention to the structuring of deliberative scenarios in which disagreement takes place, and there are some results from empirical research

on deliberation that are suggestive of how we might do that. I conclude with a discussion of the political legitimacy issues that might arise from structuring deliberative scenarios so as to avoid biases like groupthink and overconfidence, as well as what epistemological lessons we might take from these concerns.

Conciliatory Democracy: Conciliationist Epistemology of Disagreement Applied to Policies

The epistemology of disagreement literature centers on the issue of what one is epistemically required to do in situations where one disagrees with an epistemic peer, that is, another person that is equally knowledgeable and reliable on a given question. Conciliationists say that disagreement with one's epistemic equals should compel one to epistemically "split the difference" with those peers. For instance, David Christensen (2007) imagines that two colleagues at the National Weather Service give different forecasts of the probability of rain tomorrow, even though they are equally knowledgeable, they have equal track record of past predictions, and are using the exact same models for their predictions. If these two meteorologists have no reason to think that they have some epistemic advantage over the other, then Christensen thinks it's obvious that they ought to revise their original forecasts (p. 194). After all, any reasonable person would grant that we are all far from epistemically perfect, so being rational about that imperfect state means that we should be open to revising our beliefs when information suggests a possible error in them (p. 208). Disagreement with an epistemic peer is evidence that at least one of the peers has made an error.

The alternative to the conciliationist approach is the steadfast approach, which claims that one may maintain one's antecedent position even in the face of peer disagreement. Thomas Kelly

(2005),¹ for example, has argued that one's high credence in something being the case should not necessarily be defeated simply by encountering someone who disagrees with that position (p. 193). Unless they have provided a defeater for one's antecedent belief which suggests it is either false or unreliably formed, Kelly claimed there are plenty of cases where you are permitted to maintain your belief in the face of persistent disagreement with one's peers. This is not to say that one should always remain steadfast in situations of disagreement, but there are plenty of cases where there is nothing inherently unreasonable in doing so.

For the most part, treatments of disagreement in the epistemological literature have largely remained in the abstract, devoting little attention to how these approaches might operate in real-world applications. One important exception to this is the work of Martin Ebeling (2016, 2017). Ebeling (2016) argues for a conciliatory approach to political disagreement, that citizens "ought to pursue epistemic conciliation" of their judgments with their peers (p. 642). In an egalitarian democracy where citizens encounter persistent disagreement with others who they ought, *prima facie*, to countenance as their epistemic equals (Ebeling, 2017, p. xvii) epistemic humility is called for (Ebeling, 2016a, p. 641). Deliberations about real-world political decisions are usually so complex and relevant evidence so widely dispersed among the population that we should not be highly confident in the beliefs we form on these matters. We should not presume, he argues, that those who disagree with us are doing so on the basis of inferior evidence or intellectual capacities (Ebeling, 2017, p. 120).

When peer disagreement occurs, therefore, Ebeling (2017) thinks it constitutes higher-order evidence that "undermines the evidential connection" between one's first-order evidence

¹To be clear, Kelly (2010) currently defends the Total Evidence View, mentioned below.

and one's belief about what the most reasonable outcome should be (p. 82). If one truly regards the other person as an epistemic peer, their disagreement with you is not sufficient reason to regard that person as the one to have made that mistake (pp. 22-23). Unless there are reasons to "globally downgrade" the status of the other person as an epistemic peer—e.g., their being demonstrably unreliable or insufficiently informed on the proposition in question—the uniquely rational decision is that each should lower their confidence in their judgments until they reach "full epistemic conciliation" (p. 129).

What exactly does it mean for two individuals to achieve full epistemic conciliation? I take "full epistemic conciliation" to mean that the final credences are equal in value. For instance, Ebeling (2017) gives the example of five legislators who are epistemic peers deliberating about what a just tax rate should be. Legislator A says 40% is just, Legislator B says 50%, C, 60%, D, 70%, and E, 80%. Ebeling says if they are epistemic peers with each other the uniquely rational position is for them to conciliate their judgments along a scalar dimension of those options (p. 173), which in this case would be 60%.²

Preliminary Objections

Several objections have been raised against Ebeling's (2017) proposal. One might question the relevance of the epistemology of disagreement to political disagreement. Epistemic peerhood, a critical epistemic element of the situations envisioned in the epistemological literature, is itself a rare occurrence between real-world epistemic agents. Nathan King (2012) notes that acknowledged epistemic peerhood requires several conditions to obtain: disagreeers

²Ebeling appears uncommitted on what kind of function rationality demands we use to bring about full epistemic conciliation. In the above case, it seems like a straightforward arithmetic mean is employed. If this is right, it is far from clear that this function is *the* optimally rational choice (cf. Jehle & Fitelson, 2009).

must share the same body of evidence, have equal dispositions to respond to the evidence, and each recognize that these conditions obtain (pp. 252-253). This kind of acknowledged peerhood rarely obtains between individuals. Subjects' evidence is rarely so coextensive that they genuinely share the exact same set of reasons, and determining if two individuals are equally reliable on a given question is at questionable at best (p. 261). Thomas Mulligan (2016) therefore criticizes Ebeling's proposal by noting that voters are hardly ever epistemic peers: many are wildly misinformed, differ widely in their reasoning capacities, and frequently adopt political attitudes based on unreliable sources and methods (pp. 658-659). If the vast majority of one's fellow voters are not epistemic peers, then Ebeling's prescribed conciliatory strategies—or any other peer disagreement strategies for that matter—simply do not apply.

Two things could be said in Ebeling's (2017) defense here. First, a foundational issue for peer disagreement is whether peerhood should be construed objectively or subjectively. On the objectivist option, peerhood is a real relationship of epistemic parity that in fact obtains between individual agents (or a status that they possess *viz-a-viz* each other). On the second, subjectivist option, peerhood is only a relationship of epistemic parity that individuals attribute to others, irrespective of whether objective peerhood actually obtains between them. King (2012) and Mulligan's (2016) objections seem to have their force only if Ebeling is using an objectivist account of peerhood. Ebeling (2017) develops a dynamic notion of epistemic peerhood, which determines peerhood by balancing the kinds of agreements and disagreements that obtain between two people. High-confidence³ agreements with another person and only low-confidence

³A position being held in high-confidence does not necessarily mean that confidence is justified: religious zealots and politicians often have high-confidence in their beliefs that is in no way justified. I'm thankful to J.D. Trout for noting this. We might charitably reinterpret Ebeling here as meaning "justifiably high-confidence."

disagreements with them, give reason to think that agents share a lot of beliefs in common, and that epistemic peerhood thus obtains between them. The fact that peerhood obtains, Ebeling argues, seems to compel one to conciliate on the lower-confidence disagreements that remain between the peers. At first glance it seems that Ebeling is using an objectivist interpretation of peerhood here. However, on closer inspection he clarifies that “two persons are epistemic peers if they regard each other as equally reliable in answering the question correctly” and that it should be construed “not in terms of an objective possession of that status” on the part of the individuals in question (p. 127). He seems to be taking a subjectivist account of peerhood to say how citizens should act towards each other, epistemically speaking (Ebeling 2016, pp. 664-665),

While King and Mulligan are probably correct that democratic voters are not likely to be epistemic peers, I think Ebeling is generally correct that epistemology of disagreement is capable of providing some useful frameworks for thinking about political disagreement. First, as King (2012) himself argues, even if situations of genuine peer disagreement are rare, related epistemological issues are salient in many situations. Though there is no question of peer disagreement in situations where two individuals take different sets of methods to different conclusions, what reason each person has to think their own methods are epistemically superior than their opponent’s remains a salient epistemic issue (p. 267). The ignorance and ill-formed quality of many voters’ first-order political attitudes Mulligan raises will likely carry over to their attitudes on more fundamental matters about methods and standards of inquiry, but it is not clear why this has to be a problem for the use of epistemology of disagreement. Cases of disagreement that involve a clear asymmetry between individuals in terms of their evidence and their knowledge of the domain are some of the easiest cases to adjudicate in favor of sticking to

one's position. When one's interlocutors are uninformed on an issue, epistemology of disagreement provides plausible epistemic reasons for sticking to one's antecedent position in these situations.

But the prospect of political disagreements leading to disagreement on more fundamental matters signals another concern for Ebeling's conciliationism, namely that much political disagreement does not seem to consist of disputes of the sort that can be resolved in the conciliatory way Ebeling suggests. Political disputes over e.g. abortion access, LGBTQ rights, and the general size and scope of government activities are topics that are often grounded in what Robert Fogelin (1985) called "deep disagreement": disputes where the participants lack the common ground necessary for rational adjudication of their competing conceptions. Clashes of fundamental epistemic frameworks, differences about the relevant evidence for a given question, or what methods and standards of inquiry are appropriate, are standard examples of deep disagreements. Deep disagreements, Fogelin argues, cannot be adjudicated by rational, non-question-begging procedures in the way that ordinary disagreements can (p. 7). Though he does not directly discuss deep disagreement in Fogelin's sense, Ebeling (2017) confronts a similar phenomenon in his dynamic account of epistemic peerhood when two individuals have disagreements more or less across the board, both in matters of high-confidence and low-confidence. For Ebeling, these instances of deep disagreement would not necessarily be cases in which conciliation is recommended but instead where attributions of epistemic peerhood are withdrawn. He gives the example of a liberal democrat meeting an anti-democrat Nazi, who confidently denies the worth of liberal values like equality before the law, racial equality, and freedom of religion. On Ebeling's view the liberal democrat is not required to conciliate with this

anti-democrat; rather, in this case she is justified in downgrading the epistemic peer status of this other person and no longer regarding him as an epistemic peer (p. 162).⁴

Ebeling (2017) casts our response to these deep disagreements as a dilemma: we can either retain our high-confidence beliefs or downgrade the epistemic status of our opponent, as in the Nazi case, or we should seek some level of conciliation with them (p. 177). In the case of a hardened Nazi with whom one shares no common political beliefs at all, downgrading might seem like a fairly uncontroversial choice. But Ebeling is uneasy about applying this strategy of globally downgrading one's opponents too broadly; wanton downgrading of one's ideological opponents would likely lead to increased levels of polarization and intellectual arrogance that risks undermining the attribution of epistemic equality for many of one's fellow citizens that motivates Ebeling's project (pp. 178-179). He thinks these extreme cases are rare. Though many disagreements seem like intractable disputes, Ebeling thinks one can often find some kind of scalar conciliation, as in the legislators debating tax rates mentioned above. But this does not answer the question of how we should address issues that are not amenable to scalar conciliation. For instance, Ebeling thinks that abortion access could often be conciliated along a scalar dimension, with only abortions under certain conditions and point of development being allowed. Ebeling's suggestion only deals with the relatively easy moderate participants in the debate. This does not address the radical pro-choice and pro-life positions who say either abortion access is always permissible under every circumstance or that it is never permissible under any

⁴It is noteworthy that Ebeling has equally given the Nazi permission to downgrade the epistemic status of the liberal democrat. Thanks to the editors for pointing this out.

circumstance. These extreme positions are binary, and so it is not clear that they are readily amenable to Ebeling's kind of conciliation.

Epistemology of Disagreement and Bias

Beyond these more general concerns about Ebeling's project, I want to develop an original criticism about the relationship between conciliationism and cognitive bias. His project is interesting because it applies the epistemology of disagreement literature to pressing questions of our epistemic lives in a political realm that is rife with disagreement. This domain is also rife with individuals forming beliefs in many biased ways. Indeed, one of the largely underexplored aspects of disagreement is its relationship to various kinds of cognitive bias. Occasionally the role of bias is acknowledged, though mostly in relationship to the steadfast approach. For instance, Adam Elga (2005) points out that the overconfidence bias—where we overestimate our native capacities: how likely we are to be correct in a given instance, and so on—is a pervasive psychological tendency in humans. Once we recognize the prevalence of this tendency, Elga argues that we should counteract it by “ratchet[ing] down” the confidence we have in our beliefs (p. 115). This conclusion cuts against the confidence steadfasters think one is usually justified in maintaining. Even as a steadfast, Kelly (2008) points out that we should be less confident of our beliefs where the phenomenon of belief polarization has caused us to disregard countervailing evidence. Considering the potential relationship to bias on the conciliationist approach has been less common. Kelly (2005) notes in passing that there are “strong psychological pressures that tend to lead to the formation of consensus” (p. 171) but does not press this as a consideration against conciliationism. I think the psychological pressures to conformity are worth exploring here in relation to conciliationism.

There are several group dynamics that drive participants toward conformity. Deliberation usually reduces variance among participants and increases the confidence with which they hold their newly converged upon position (Sunstein, 2003b, p. 316). U.S. Circuit court judges seem influenced by conformity pressures in their decisions: panels of judges that are all appointed by the same party tend give more extreme rulings than panels with judges appointed by different parties (p. 168). One way of understanding this kind of behavior is what Cass Sunstein (2003a) calls an informational cascade, where “people cease relying...on their private information or opinions” when making decisions (p. 54) and instead use the opinions of others as cues for what the appropriate answer is, and form their own beliefs and attitudes accordingly. Sunstein illustrates this dynamic with the case of three equally trained and knowledgeable doctors deciding if a therapy for menopausal women increases risk for heart disease. Suppose the first two doctors speak up in agreement with each other that the therapy is low risk. The third doctor, whose own private judgment is that the therapy probably is a high risk, decides to go against his own judgment and side with the first two. The failure to disclose that there was actually some measure of disagreement among them might lead others to think that their agreement was more robust than it actually is, leading others to join with this “consensus.” The power of group influence on individual beliefs and behavior is “one of the most durable lessons in social psychology” (Cohen 2003, p. 808). In spite of its prevalence, however, people are often blind to its effects, mistakenly assuming that their change in attitude is simply “an impartial assessment of the relevant facts” (p. 809). Conformity pressures form our political attitudes as well, as we often take the cues of friends and neighbors, political parties, as well as social and religious groups when forming our own stances (Suhay 2016, p. 6). Several streams of research on

political networks suggest a tendency “for individuals to become more like their discussion partners over time” (Lazer et al., 2010, p. 249).⁵

What’s the relevance of this empirical data to Ebeling’s (2017) proposal of a conciliatory democracy? The simplest concern is that individuals using a conciliationist approach would conciliate too quickly, perhaps without sufficient regard for the reasons behind each position. This could give too much epistemic deference to false and unsubstantiated viewpoints. A related concern, sometimes called the “tyranny of the majority” worry, is that those in the minority will get browbeaten (even unconsciously) into conformity with the larger group. Concern about the epistemic importance of avoiding these kinds of ill-gotten consensus have led to full-throated defenses for why dissent should be allowed and encouraged: it gives the majority the chance to show why the dissenters are wrong or change the majority’s view if the dissenter is correct. Ebeling might respond to the problem of the majority browbeating a minority into conformity by noting that epistemic conciliation works both ways: yes, it would require a minority to conciliate its attitudes towards the majority of its epistemic peers, but it would also require the majority to conciliate its attitudes in the opposite direction toward their epistemic peers.

Yet, even if this mutual shift were to take place, the minority would have to modify its position substantially more than members of the majority.⁶ While there might be situations where this is epistemically benign, there is the risk in that it could perpetuate a kind of epistemic

⁵It is noteworthy that Lindell et al. (2017) found in their own citizen deliberation study—which admittedly had a small sample size—that group effects were statistically insignificant for both polarization and moderation of individual preferences (p. 35).

⁶Another possibility to resist this kind of epistemic domination is by invoking a kind of belief independence where if the majority have their beliefs from an identical source—e.g. acquired from the same news source, same advisor, etc.—then one need not treat every single person like they have acquired it from a wholly unique source. I am thankful to a referee for mentioning this.

domination (Bohman, 2012). Someone is epistemically dominated when they are subjected to the beliefs of others in some unilateral way. Miranda Fricker (2015) has articulated that a necessary condition for not being dominated is that one can make an epistemic contribution, to “contribute to the pool of shared epistemic materials--for knowledge, understanding, and practical deliberation” that set up the social institutions that frame one’s social reality (p. 76). Epistemic contribution can be hindered, Fricker argues (2007), when one does not have reasonable levels of input into how social institutions are structured, a process she calls “hermeneutical marginalization” (p. 153). To illustrate, suppose that Jane believes that high-prestige jobs requiring excessively demanding work hours are hostile to employees—many of whom are women—who have substantial familial obligations competing for their time. When she discusses this with her male co-workers, Bob and Logan—whom she takes to be her epistemic peers—she discovers that they disagree with her on this issue. Following Ebeling’s prescription, if they are in fact her epistemic peers, then she should pursue epistemic conciliation with them. Fricker might argue that a relevant feature of this disagreement is that it was brought about because work hour requirements and expectations were not developed with equal input from people with substantial familial expectations, especially women (see e.g., Goldin, 2014). This type of unequal social arrangement is the context in which many disagreements take place; though this may seem just a moral disadvantage, there is an epistemological dimension to it: to not acknowledge that unequal deliberative field and require that everyone conciliate with the majority of their epistemic peers potentially hinders some minority groups’ capacities to make an epistemic contribution to the structures of their society. This is one of the epistemic risks that Ebeling-style conciliation carries with it that needs to be recognized.

The prospect of hindering minority groups from making an epistemic contribution raises the more general worry that full epistemic conciliation might homogenize the information pool in a way that would lose some of the epistemic texture of the antecedent positions. Sunstein (2003a) argues that some dissent is valuable because it preserves the range of perspectives that are currently available that would otherwise be lost (pp. 66-73). In a situation like Sunstein's three doctors case, the appearance of consensus can initiate an information cascade, as subsequent doctors take this apparent consensus as a signal that they should take this position as well. This could be avoided if the doctor had raised the objections he had, if only so others could have a full sense of how confident and robust that consensus was. Similarly, Miriam Solomon points out that when deliberation causes people to change their minds as a result of felt peer pressure, the information of their original position is lost (Solomon 2006, p. 36). A conciliated conclusion that tries to incorporate all those available positions may lose some of the information that was included in its constituent parts. This is not necessarily nefarious: the limits of human memory and attention span constrain how many details we can include and so messages of majority positions often get sharpened and accentuated, while conflicting, minority positions can get leveled off (Gilovich, 1991, pp. 90-91). The concern is that the conciliation process might level off those minority positions. Ebeling might respond that epistemic conciliation could include the kind of information that Sunstein and Solomon are concerned about preserving—a downgrade of one's credence could be "footnoted," as an adjustment is in response to a specific dissent. Yet it is implausible to think that an individual could reliably keep track of all the reasons that could contribute to her settling on her updated position. Furthermore, a homogenized pool of information exacerbates the risk of cognitive bias because in that

diminished pool, there are fewer things that might counteract potentially biased data points and sources. As a result, any extant biases might get magnified (Solomon, 2006, p. 36).

This leads us to what I find most problematic about Ebeling's proposal: the notion of full epistemic conciliation on political matters. First, it is not obvious that there will always be one uniquely rational way of weighing all the epistemic factors in a given circumstance, that there could be a range of responses to a situation that are all at least minimally rational (Riggs 2008). This kind of rational pluralism is all the more plausible in the political domain, as there are seemingly instances of interminable but reasonable disagreement. According to John Rawls (2005), some political disagreements are the result of free institutions that allow people to use their own reasoning faculties to determine their own beliefs and values. Rawls thinks the disagreements that result from this exercise are likely to be an enduring feature of a free society, and it is not reasonable to think those disagreements would ever get resolved without some repressive imposition of one viewpoint (p. 36). Similarly, Amy Gutmann and Dennis Thompson (1996) claim that even if everyone in society were competent reasoners and epistemically fair-minded, "some would reasonably give different weight to the many complex factors, moral and empirical, that affect the choice of public policies" (p. 25). The upshot of this reasonable disagreement is that it does not seem to expect that there would be anything resembling full epistemic conciliation in the political domain. Ebeling does not make sufficient space for this reasonable political disagreement. The second problem is that Ebeling's proposal requires people to converge on a consensus position on a wide range of political matters. If the Supreme Court followed these conciliatory prescriptions, for instance, justices would *ceteris paribus* seem to be prohibited from giving opinions which depart from some of their fellow judges (unless there

were some special circumstances that lead the dissenter to think her colleagues were not actually peers in a particular case). This requirement might be acceptable in an environment where there is no tendency to conciliate irrationally. But in an environment where conformity pressures are very prominent, full conciliation could be quite problematic.

Sensitive to this second criticism, Ebeling (2017) states that pursuing epistemic conciliation need not be at odds with presenting one's own position and the evidence for it. He thinks that people in these deliberations should adopt a kind of "weak deference" that requires them to be more self-aware of their own biases and adopt a kind of intellectual humility (p. 253). I agree with him that citizens should become more self-reflective and aware of their own potential biases, and all the limitations that hinder our perspective from having the most rational beliefs we can have. But first, I think that awareness of our epistemic limitations should also extend to the possibility of bias infecting our own deliberative and conciliatory processes. Since conciliation seems like such a benign, even virtuous, action in so many cases, we should not be lulled into ignoring the potential cases in which it could be epistemically detrimental.

Second, this weak deference seems inconsistent with Ebeling's (2017) larger overarching requirement that people ought to conciliate with their peers towards a uniquely rational option. Take p to be "Legalized abortion is morally just." Suppose Jane holds a credence of .8 for p , while Joan holds a credence of .2 for p . After they learn of their disagreement—as well as discussing their reasons for their respective positions—they decide they are peers on this issue and that they should weakly defer to each other to account for the possibility of their own cognitive biases and limitations. They therefore downgrade their respective credences to .7 and .3. If such a move counts as weak deference, though the disagreeers have gotten closer to

agreement than before, they have done less than the full equal-weight conciliation. Yet, at other moments, Ebeling stresses that peer disagreeers seemingly ought to eliminate the disagreement between them—as in the tax legislator case—but a policy of weak deference will not compel people to arrive at a full conciliation.

Even if they were to come to a full conciliation, though, it hardly follows that it would be a uniquely rational response. It is not entirely clear what Ebeling (2017) means in calling full epistemic conciliation “uniquely rational.” He could be making a strong claim that full conciliation is uniquely rational in the sense that it best tracks the relevant epistemic truths of what one should believe. Ebeling seems to make this kind of strong claim when he says that “[i]n a sufficiently deliberative democracy, our best bet of getting it right is to conciliate our judgments with those of other reasonable citizens” (p. 91). Here “getting it right” is actually tracking some property Ebeling calls “bestness,” which he takes to be the most reasonable decision that “can be justified to all reasonable citizens” (p. 38). As an empirical claim, though, it is questionable at best to say that reasonable citizens will always accept some conciliated middle ground as justified. Claiming that citizens ought to always accept a conciliated middle ground as the most reasonable decision is only persuasive if we assume that the judgments of a given set of peers are already accurately tracking some sense of what is reasonable. It could very well be that that a conciliated middle ground is still an unreasonable judgment to settle on.

We could construe his uniqueness claim in a weaker sense that, given whoever one’s peers happen to be, some conciliation X is the uniquely rational choice. This interpretation also has its problems. Consider the previously discussed disagreement on tax rates: since peer legislators A-E believe, based on their judgment of the total evidence, that the top tax rate should

be between 40-80%, respectively, Ebeling (2017) says the uniquely rational answer for them is to conciliate at 60%. But suppose that three other legislators—F, G, and H—are peers with each other and, based on their judgment of the total evidence, propose that the top tax rate should be 5%, 10%, and 15%, respectively. In that case, Ebeling would say the uniquely rational option for them is 10%. So Ebeling's result seems to relativize the uniqueness claim substantially: 60% is uniquely rational for the first group, while 10% is uniquely rational for the second group. Unlike the stronger reading, there is no claim that these "uniquely rational" answers are related to any wider epistemic truths about what one should believe. On this reading, conciliation is only "uniquely rational" within the confines of an epistemic "Overton window" of the range of what one's peers happen to think is acceptable or reasonable. Given the propensity for like-minded peers to become echo-chambers around each other, we should be very skeptical of claims that conciliating with one's peers is a uniquely rational choice (Nguyen, 2018).

Perhaps these problems only apply to the Ebeling's strong requirement of full epistemic conciliation. Nathan Ballantyne and E. J. Coffman (2012) discuss a weaker form of conciliationism, where revealed peer disagreement only requires that a person give "some weight to her peer's attitude." They call this position "permissive conciliationism" since it does not require that the disagreeing parties make equally extensive revisions of their views, nor requires that they come to one conciliated position (p. 660). On this view, there can be more than one reasonable view one could take on a given political question. When confronted with a first-order disagreement with a peer, one could examine the rational basis for the other person's position, what sources they use, and so on. If their position is grounded in a rational basis that one's own position has not accounted for, then one might be rationally compelled to adjust one's position.

The extent of such conciliations will obviously vary from case to case. How strong the evidence is for one's antecedent view is, how many of one's peers are on each side, how diverse their sources are, all could affect how much conciliation would be required. This position might share some affinities with Ebeling's weak deference once it is detached from his stronger proposal. For my purposes here it is sufficient to note that there is at least one account that could do justice to many of the ideas motivating Ebeling without the problems of his strong proposal.

I have argued that full epistemic conciliation risks subjecting individuals to cognitive biases, diminishing the epistemic contribution of minority voices and homogenizing the overall information pool. If so, Ebeling's conciliationism is epistemically riskier than supposed. Following Duncan Pritchard, I take epistemic risk to be the modal proximity of cognitive failure (Pritchard, 2016, p. 565). On this view, it is important not only that one actually cognitively succeeds but also that the possible worlds wherein one cognitively fails on that same basis are not too modally proximate. Put another way, this proximity to cognitive error calls into question the modal reliability of conciliation as a belief forming mechanism.⁷ Even if one fully conciliates in a way that actually produces more rational beliefs, that full conciliation could have been on the basis of groupthink or diminished the information pool. Not much about the world would need to change for that conciliation to result in these kinds of cognitive failures. To be clear the epistemic risk of full conciliation is not so proximate to completely defeat beliefs formed this way. I would argue that the increased exposure to the epistemic risk of cognitive failures constitutes only a partial defeater for conciliated beliefs, in that it results "in the loss of some of the belief's justification or positive epistemic status" (Thune, 2010, p. 356). As a result we

⁷Thanks to an anonymous reviewer for suggesting this point.

should be less confident that full epistemic conciliation on political matters is as genuinely warranted as Ebeling thinks.⁸

The claim here is that because political domains of discourse are inherently more prone to cognitive and social biases, the possible worlds in which those biases obtain are closer than in other discursive domains, and as such conciliationist responses to disagreement in political domains are particularly risky. Claiming that Ebeling's conciliationism is risky in this way raises the question of the comparative risk of other strategies. All approaches carry with them some risk to cognitive failure. Is there reason to think that Ebeling's is any riskier than potential alternatives? We might start by pointing out that it is plausible to think that steadfast approaches are generally as vulnerable to the overconfidence bias as conciliationism is to groupthink. Ample evidence of social psychology illustrates that overconfidence bias is also highly prominent in the political domain (Ortoleva & Snowberg, 2015). Being overconfident in this way can lead people to make biased assessments of information in ways that confirm and further entrench their antecedent political views: people accept at face value information that confirms their political views (Lord et al., 1979). Antecedent political confidence interferes with ability to interpret data correctly, even among the most highly mathematically literate people (Kahan et al., 2017). Someone using the steadfast approach could arrive at a conclusion that an overconfident person

⁸Since Ebeling's proposal is specifically about the political domain, I limit my discussion to this domain. Certainly the sorts of biases I describe can creep into most kinds of group deliberations and decision-making in other areas like business, health-care, even space travel (Rose, 2011). In those domains, however, there are many plausible proposals to mitigate these kinds of biases; they range from leaders focusing on facilitating the feedback from all of their team members (Janis, 1982) to more carefully on worst-case scenarios and designating more "devil's advocate" teams to challenge the consensus of the group (Sunstein & Hastie, 2015). The effectiveness of these strategies makes the risk of cognitive failure in these domains more remote. It is unclear how well these strategies would work if applied to political deliberation, so I think that tentatively warrants the distinction between the political domain and non-political domains that I am using in this paper.

would come to. I think the proximity to overconfidence partially undermines the positive epistemic status for a steadfast belief in the same way that a conciliationist belief is partially undermined by its proximity to groupthink. Steadfastness and conciliationism seem to have roughly comparable risk levels, albeit towards different epistemic failures.

We might then consider the epistemic risks of other kind's approaches to disagreement. Are weaker forms of conciliationism, such as permissive conciliationism described above, substantially less risky than Ebeling's strategy? Permissive conciliationism is certainly not a risk-free strategy. Suppose Jake, a permissive conciliationist, is in a room of his epistemic peers that happen to disagree with him on some particular question *p*. Even though he only has to accommodate his peers to a certain extent, if they are all peers that provide him with reasons he had not previously accounted for then in the aggregate they might compel him to shift his belief quite substantially. There are certainly situations wherein this kind of conciliation could be a manifestation of groupthink, perhaps if all those peers were actually using the same source. But I think the permissive conciliationist is further away from groupthink than Ebeling's conciliationist because more has to happen for him to fall prey to it: he would have to encounter more independent instances of peer disagreement before he substantially revises his belief. Even though it does not stop groupthink entirely or reverse its course, the permissive conciliationist's susceptibility to it is slower. By contrast, it seems an Ebeling-style conciliationist would conciliate more readily. The risks would reverse if we compared Jake to how a steadfast, Laura, would act in the same situation. Jake would likely be more willing to revise his beliefs in light of his peers' beliefs than Laura in a similar situation. This makes him relatively less vulnerable to the overconfidence bias than her, though it also makes him relatively more

vulnerable to groupthink. So then it seems like a permissive conciliationist is closer to overconfidence than Ebeling's conciliationist but closer to groupthink than a steadfast. Permissive conciliationism is therefore exposed to a moderate amount of both overconfidence and groupthink. Does this mean that the permissive conciliationist's respective proximities to cognitive bias simply cancel each other out? Not necessarily. We might say that permissive conciliationism is a more moderate view than either the steadfast approach or Ebeling's form of conciliationism. That could be good or bad, depending on what beliefs are subject to revision. If Jake's status quo belief is a rational one and revision in light of some peer's beliefs will make it less rational, then permissive conciliationism is protecting him from forming a less rational belief. But if his status quo belief is rationally suspect and could stand to be improved by taking his peers' views into consideration, then Jake's stance is making it harder for him to have a more rational belief. I am unsure whether or not this makes permissive conciliationism, all-things-considered, a less risky approach to disagreement than Ebeling's conciliationism (or the steadfast approach for that matter). But if we are comparing the risks of permissive conciliationism and Ebeling's conciliation, it seems we can at least say that the former is moderately less risky when it comes to groupthink, though moderately riskier when it comes to overconfidence.

Paths Forward

The bias-vulnerability of both simplistic conciliatory and steadfast approaches lead one to consider how we can deal with political disagreement better. One approach suggests that the settings of disagreement can be structured to mitigate the biases that might crop up naturally in deliberation. There is a large body of empirical literature on deliberation that attempts to understand how people operate in deliberative scenarios. When people deliberate, some of them

change their minds, while others maintain their status quo beliefs. Beliefs and attitudes can become either more extreme or more moderate. Part of the task the study of deliberation is to figure out why people modify their beliefs the way they do and what processes they use. This research could affect how we evaluate both the belief-forming processes people use in deliberation, as well as the beliefs themselves. While these studies are not dealing specifically with the kind of epistemic conciliation that Ebeling and others focus on, I think they can illuminate the epistemology of disagreement and motivate a more nuanced approach to disagreement. Following Sunstein and Thaler (2008), perhaps we can facilitate deliberative procedures that “nudge” people toward more reasonable beliefs, or to form them in more rational ways.

One promising research program is James Fishkin’s (2018) work on deliberative polls. In this program, participants initially answer a series of questions on a given topic, to establish their baseline knowledge of, and position on, it. The group then receives information and deliberates about the topic among themselves, mostly deciding as a group what kind of questions to ask of the expert panel. At the conclusion, the members take the survey again to measure what factual information they absorbed and the extent to which that learning changed their original opinions. The results from these procedures suggest that structured deliberation can produce more substantive shifts in policy preferences (Lushkin et al., 2002), and helps produce more agreement and reduce group polarization. More technically, deliberative polls tend to increase a group’s proximity to “single-peakedness,” which is where a group, post-deliberation, tends to coalesce around a preferred ordering of the discussed alternatives (List et al., 2013, pp. 82-83). The most dramatic shifts in policy preferences were most prominent among deliberators who absorbed the

most information during the deliberation (Lushkin et al., 2002, p. 470). On the basis of their results, Bruce Ackerman and James Fishkin (2004) have suggested that deliberation should play a larger role in political will-formation, as in their proposed “Deliberation Day,” where a subsection of the population takes part in a deliberative poll on the current hot topic issues in an election cycle. Ackerman and Fishkin reject groupthink as the best explanation for their results by pointing out that while juries must reach a collective decision that likely suppresses minority opinions, the “Deliberation Day” participants’ conclusions are disclosed in confidential questionnaires at the end of the period, so there is likely no conformity pressure (p. 63).

But this proposal is not without its issues and tensions. Michael Neblo (2012) notes that the positive dynamic Fishkin notes could actually become the source of deliberative polling’s own legitimation crisis. The success of deliberative polls in making participants change their position in a seemingly rational and unbiased environment could incentivize partisans and special interest groups to infiltrate the expert panels and the information presented to those deliberators; this would manipulate the captive audience of the participants, an audience that the special interests know would have the imprimatur of rational deliberation. To avoid this problem, the organizers of the deliberators would have to be very careful in constructing the panels and limiting the informational sessions to avoid such hijacking and strategic manipulation. But since this construction necessarily omits some portion of the wider political spectrum, that might undermine the overall legitimacy of the deliberative polls as biased and not a truly open and level deliberative forum. This requires the public at large to be able to discern what would count as high-quality deliberation and what counts as manipulated, biased opinions (Neblo, 2012, p. 415);

but the public's deficient discernment capacity is one of the motivations for doing a deliberative poll in the first place. Whether or not this tension can be resolved remains an open question.

Second, Stefania Ravazzi and Gianfranco Pomatto (2014) compare two deliberative scenarios in Italy involving highly controversial local land uses, one involving a new highway construction project, and the other an industrial waste disposal site. One made use of purely deliberative procedures--participants received information from a balanced panel of experts, exchanged views with each other, and posed questions to the panel. The other scenario used many of the same deliberative procedures, but also included a confrontational phase where participants were allowed to present their unvarnished fears and concerns about the proposal on offer, including even openly hostile, intemperate accusations. The procedure that allowed for that initial forum for effectively uncensored presentation of participants' feelings allowed them to voice their authentic opinions (p. 10). Conversely, the purely deliberative procedure did not allow for the clarification of the participants' prejudices, leading to a too sanitized and artificial deliberation where "individuals [felt] forced to quietly argue, using universalistic justifications ...not partisan interests" (p. 13).

Yet both of these studies leave underexplored the actual mechanisms by which deliberative participants make their choices. Marina Lindell and co-authors (2017) examine what factors in deliberation drive people toward either moderation of their opinions or polarization in a Finnish citizen deliberation on immigration. Many previous studies presumed that polarization is generally irrational, while moderation was considered to be the more epistemically virtuous and desirable pathway, if not the desired goal of deliberation. Lindell et al. complicate that narrative by showing, inter alia, that there are times when polarization (at the very least) is not an

epistemically vicious choice. First, participants who polarized their opinions did not display many of the features that ordinarily make polarization problematic from a normative standpoint: they formed beliefs in heterogeneous groups, displayed empathy, and even showed normal ranges of information absorption and learning (Lindell et al. 2017, p. 39). One might normally expect that those who moderated their position post-deliberation would be the ones who learn the most, display the most empathy, and become more open-minded. But those whose opinions were polarized displayed many of the same behaviors and dispositions as those who moderated their opinion (p. 40). These data cut against work from Sunstein and others who say that polarization comes from like-minded people making themselves more and more extreme (p. 25).

What epistemological lessons should we take away from these experiments? I think the deliberative polling data suggest that some kind of epistemic conciliation is possible in a way that does not subject citizens to the normal levels of group conformity pressures. Under the right circumstances, deliberation can produce agreement that displays some broadly shared epistemic virtues—increasing respect for other viewpoints, openness to epistemic modification, etc. Yet, Neblo's concern about deliberative polling's political legitimacy in some ways mirrors the issues raised earlier for Ebeling's proposal, in that deliberative structuring can level off the information pool and create situations where cognitive bias could get amplified. Ravazzi and Pomatto's (2014) study seems to show that attempts to short-circuit the deliberative process of disagreement can lead to a lack of information about what participants actually want and value. The raising to consciousness of adversarial viewpoints, without any attempt to conciliate them, allowed for the construction of creative solutions that more authentically accommodated those concerns. As Sunstein (2003b) points out, the hidden profile of unshared but relevant

information can contribute to group polarization itself (pp. 321-323). While certainly not all kinds of information about an individual's beliefs are always going to be relevant to a deliberation, we should be broadly wary of attempts to shut them down ahead of time. Lindell and coauthors' study is very challenging, particularly because it finds group effects like groupthink to be an insignificant factor in people's deliberative choices (Lindell et al., 2017, p. 35). While they admit that their study was from a relatively small sample, and thus look forward to additional studies and replication that test the robustness of groupthink in deliberation, I think it illustrates where a lack of conciliation can actually be epistemically positive, perhaps even virtuous, behavior. Polarization can be epistemically positive, especially when it reflects preference clarification of individuals' better understanding of their actual preference and their reasons for it (p. 24). We should therefore be especially cautious about assuming that polarizing disagreement is always epistemically undesirable.

When combined with my criticisms of Ebeling's full epistemic conciliationism, the empirical data above show converging lines of support for a more moderate approach to political disagreement, where people are not required to conciliate but are in an environment that hopefully "nudges" them toward more virtuous deliberation and belief formation. What shape that more moderate approach should take is yet to be developed. The permissive conciliationism discussed above could be a candidate for this moderate approach, but I have not satisfactorily demonstrated that it is up to this task, as it has its difficulties. One such worry is the coherence of its constituent parts of permissivism and conciliationism, whether the permissiveness ultimately undermines—if not dissolves—the conciliatory requirement: if two people are already in the range of rationally permissive attitudes on some issue, why are they obligated to conciliate any

further? It is unclear if this tension can be overcome. In the next chapter I will spell out a different moderate epistemology of political disagreement by drawing on the justificationist approach developed by Jennifer Lackey.

CHAPTER THREE
POLITICAL JUSTIFICATIONISM: A CASUISTIC EPISTEMOLOGY
AND POLITICAL DISAGREEMENT

Introduction

The epistemology of disagreement literature centers around the epistemic significance of disagreement: when two people who are epistemic peers with each other disagree on an issue what are they required to do epistemically speaking? While some, known as steadfasters, claim that one can justifiably maintain one's belief even in the face of such disagreement, others, known as conciliationists, argue that one should modify one's opinion in light of that disagreement. In past work I demonstrate that these standard approaches are problematic approaches to political disagreements, as they make us vulnerable to cognitive biases (Carlson 2018). In this paper I will outline a more contextualist approach to political disagreement. Following within Jennifer Lackey's justificationist approach and casuistry paradigm in medical ethics, I argue that paying attention to a given political disagreement's scope, domain, genealogy, and consequence can be helpful for determining whether to respond to it at the level of our confidence, beliefs, or with policy.

Why develop an epistemology of political disagreement? One reason to limit the scope is simply a matter of modesty. It is possible that this model will be useful for dealing with disagreements in other domains, but I do not wish to argue that this is a totalizing, one-size-fits-all approach to disagreements more generally. It is true that political disagreements have a lot in

common with disputes in other domains, and it is possible that my discussion here will be useful elsewhere, but I do not want to argue for that broader claim here.

One problem with this modesty of scope is that it may produce an ad hoc kind of epistemology. I am hesitant about claiming there is something uniquely distinctive property that all and only political disagreements have. That said, one distinctive property about many political disagreements is that the disputes are over what Gerald Gaus (2011) calls “social morality” the rules that structure and govern our social interactions with each other (pp. 2-3). Social morality, is not as concerned about ethics in a very individualized sense—e.g., what makes for a good life, how a person might conduct themselves virtuously, etc.—but rather when we are permitted to place requirements on others to behave in certain ways, refrain from others, and so on. To illustrate the difference, if two people were having an ethical disagreement over, e.g., the permissibility of having an abortion, they can “agree to disagree” and go their separate ways without requiring any resolution or consensus. But political disagreements are often not like that. At some point laws and policies on this issue have to be enacted (or not): abortion is either legally permitted or not, publicly funded or not, or some hybrid compromise position in between these options. Adopting any of these options necessarily involves coming to a decision, one that make demands on how people can behave, how they cannot, and so on. Determining what the best response to a political disagreement therefore, is not just a matter of looking for ordinary epistemic or moral justification, but which ones are politically justified, that is, which ones are acceptable to citizens, especially members of a diverse populace who disagree on a wide number of topics (Chambers, 2010).

Lackey and Justificationism

For Lackey (2010), what is peculiar in the epistemology of disagreement is that conciliationism seems to deliver the clearly right judgment about some cases, while steadfastness seems just as clearly to give the correct recommendation in others. In some disagreements the disputants are in an epistemically symmetrical relationship with each other i.e., they are epistemic peers¹ on some question p in the sense of being equally competent, intelligent, and fair-minded as the other about its domain as well as being equally familiar with the evidence and argument that bears on it (p. 302). where the justification seems to be more evenly balanced and neither side has the “epistemic upperhand” on the other, Lackey thinks the conciliationist recommending modification of one’s doxastic states is likely the more correct strategy. By contrast, steadfast recommendations tend to be correct in situations where there is a “symmetry breaker” between the two disputants, where one has a larger amount of expertise, knowledge, or information behind their position than their opponent has. No doxastic revision is required of one’s view when one disagrees with someone who is either less knowledgeable or well-informed about that situation (p. 318). Lackey takes these two points to mean that the epistemic significance of a disagreement depends on where the preponderance of the justification lies. When considering what to do in a given situation, the real question to ask is: where is the most justification?

Lackey (2012) takes this justificationist approach to mean there is not a simple, binary answer about what to do in a particular disagreement, whether to revise one’s belief or not (p. 106). Tim Kenyon (2018) also thinks the disagreement literature is misguided into thinking that

¹I discuss epistemic peerhood more thoroughly in the political context in §2.4.

there is a universally applicable answer or general formula to what we should do when we disagree. He aptly describes the issue of disagreement as akin to what to do when handed something:

That there is no single privileged answer to the question, ‘What ought we to do, epistemically speaking, when faced with a disagreement?’ is no more surprising, and certainly no bleaker, than the idea that there is no single privileged answer to the question, ‘What ought I to do, possession-wise, when somebody hands me something? It depends on whether I’m being handed a cake or a cobra’. (p. 244)

On Kenyon’s understanding of Lackey, we should be skeptical that there are very many broad general principles of how to respond to disagreements, and that’s not necessarily a lamentable thing anyway. He suggests instead that we should adopt a more particularist, case-by-case approach to disagreement. But nevertheless, Kenyon takes this case-by-case approach to be a more adequate way of approaching disagreement overall.

Dimensions of Political Disagreements

But when asked “what should we do when we disagree?” an “It depends” answer is a pretty unsatisfying one. Depends on what? I want to take up this idea and develop it for political disagreements. I suggest that there are at least four dimensions that are relevant to what one should do (epistemically speaking) in a given political disagreement: domain, scope, genealogy, and urgency. While these dimensions are surely not the only ones worth thinking about, I think they provide some initially plausible considerations for thinking about how to respond to political disagreements.

For each dimension, I will also give a *prima facie* gloss of how differences along these dimensions might affect the epistemological evaluation of these respective types. To be clear, there are wide discussions raised in each of these dimensions, and my intention here is not to

settle all, or even most, of these controversies. Rather, my aim is to show why it is reasonable to think that different disagreement-types may warrant different epistemological evaluations and responses.

Domain

First, political disagreements differ in their domain: some disagreements are about facts about the empirical world, while others are about normative claims about what is valuable or how we ought to act. While treatments of political disagreements have usually centered on normative disputes—e.g. "What steps should we take to address climate change?" conflicts over factual matters—"Is anthropogenic climate change occurring?"—are also becoming increasingly salient in the current political atmosphere (Kappel, 2017). Though there are good reasons to be skeptical of a firm distinction between these facts and values (Douglas, 2014), for the moment we can treat these as conceptually distinct.

Why think that this difference in domain is important for the epistemological questions surrounding political disagreements? Christopher Robert and Richard Zeckhauser (2011) point out that where a disagreement is over an empirical matter, one possible solution might be to continue the investigation, do some additional research, perhaps to put the two clashing views to an empirical test. Suppose that Ben and Rick are having a disagreement about whether increased government spending is a good policy response to a bad recession. We can determine the preponderance of evidence for this disagreement by examining how compelling each side's normative arguments are. But suppose that their normative disagreement involves a further disagreement about whether increased deficit spending leads to substantially higher inflation. Determining where the preponderance of evidence lies for factual rather than normative

disagreement involves not just weighing the arguments like in the normative case but considering whether the empirical data confirms or disconfirms either position. If it turns out that the relevant empirical data tends to confirm Ben's claims about inflation and deficit spending, that seems to be one reason to think his view is epistemically preferable to Rick's. If the empirical record was more mixed and muddled, that might be a reason to think that suspension of belief is perhaps more appropriate.

Insofar as this factual disagreement undergirds their original normative disagreement, the verdict reached on the factual matter can have some impact on how we evaluate the normative dispute as well. If Ben's normative claims are supported by factual ones but Rick's claims are not, that provides at least some reason to think his normative claims might be preferable as well. Of course, disputes about policy-relevant factual matters are not as neat and tidy as this picture suggests. The relevance of empirical testing should not lead us to be sanguine that political factual disputes are likely resolved by simply appeals to empirical tests—underdetermination and special-pleading are not unique to political disputes (Arabatzis, 2008). But I think this example demonstrates appeal to empirical testing is one way of responding to factual political disagreements that is not available to normative disputes.

Scope

Second, political disagreements differ in their scope. Many disagreements are deep, in the sense that they are widespread about more than one issue. A staunch libertarian and a democratic socialist do not just disagree on government's place in healthcare, but on a wide range of political issues as well. In the starkest examples, disagreements may go all the way down to differences in philosophical first principles. Robert Fogelin (2005) took "deep disagreement" to

be conflict of fundamental epistemic principles (p. 8). Other disagreements, though, are more localized in the sense that they take place against a background of general agreement on related issues. Following with the image of “deep disagreements” we might call these localized disagreements “shallow.” People who generally agree that universal healthcare coverage is an important policy goal might still disagree about what kind of single payer or multi-payer system best implements that vision.

The scope of disagreement plausibly affects how one should respond to it. Several epistemologists have argued that the conciliatory requirement diminishes as the scope of a disagreement widens. Martin Ebeling (2017) argues that disagreement an epistemic peer on a political question obligates one to conciliate with them, but if one finds that the dispute is more widespread than originally thought, that diminishes the requirement to conciliate in that situation (p. 82). Klemens Kappel (2018) has also argued that while disagreements might usually provide some undefeated higher-order evidence that one has made some error, that evidence is not as strong in situations of thoroughgoing, deep disagreement (cf. Pittard, 2013) Though deep disagreements might cause some epistemic angst about whether one has made a fundamental mistake or relying on a non-truth-conducive principle (Kappel, 2018, p. 11), their presence alone does not undercut the judgment that the other person has made some serious and fundamental errors.

Genealogy

Third, it is plausible to think that political disagreements have different kinds of genealogical sources, particularly from both rational and irrational sources. Many political disagreements are caused by one or more irrational biases influencing at least one of the

disputants. For instance, someone who disagrees with the factuality of the Sandy Hook shooting because they rely on a known to be unreliable source like Alex Jones as their primary source of information are likely disagreeing irrationally. Other instances of irrationality might be more subtly problematic, in that a person may hold irrational beliefs but nevertheless ostensibly satisfy epistemic criteria of rational belief. Endre Begby (2013) notes that when prejudicial beliefs are a part of a person's background beliefs, it becomes epistemically rational for those beliefs to control, interpret, and evaluate new evidence and experiences (p. 94). Motivated reasoning is another prominent cause of many political disagreements. Motivated reasoning describes a bias that skews one's evaluation of the evidence in favor of the beliefs that one already holds (Lord et al., 1979). Antecedent political confidence also interferes with ability to interpret statistical data correctly, even among the most highly mathematically literate people (Kahan et al., 2017). While perhaps less egregiously irrational than the kinds of causes discussed, and others, it is plausible to think that motivated reasoning still produces irrational forms of disagreements (Ancell, 2017).

Despite the presence of all of these irrational forces on political disagreements, I think it would be too hasty to claim that all disagreements in this domain are irrational. There does seem to be some possibilities for reasonable political disagreements. One might think that disagreements can be the result of competent reasoning that has survived an extended period of good faith shared deliberation (McMahon, 2009, p. 9). How is it possible that competent, good faith reasoning would nevertheless fail to produce a resolution? Walter Gallie (1956) argued that some interminable disputes in domains like politics are over what he terms "essentially contested concepts": ideas whose application and validity are both not resolvable by rational argumentation, but "nevertheless sustained by perfectly respectable arguments and evidence" (p.

169). Essentially contested concepts like “democracy,” “freedom,” have complex components that are open for reasonable individuals to interpret and weigh them differently. When people weigh all of these complex issues independent of each other, they will invariably come to different positions. The essential contestability of political concepts often invites an anti-realist or relativist understanding of the dispute about these topics: if there are no uniquely rational or superior way to understand these concepts, then perhaps there is simply no truth about the matter. Though he does not engage with the notion of “essentially contested” concept, Alvin Goldman (2010) has presented a similar account of how reasonable disagreement can be possible. In a complex domain like politics, discovering one uniquely rational answer to many conflicting issues seems highly implausible. Goldman thinks that norms of inquiry in this difficult domain are likely to be permissive rather than prescriptive, indicating what range of ideas are rationally permissible to believe and enact rather than dictating some unique position. For instance, suppose a moderate libertarian Eric and a moderate liberal Jerry disagree about how to prioritize social well-being and personal autonomy. Even if we assume that there is a truth about how to balance these values--there might still be a range of reasonable or justifiable positions that cluster around the neighborhood of that ideal.

John Rawls (2005) has similarly argued for the possibility of reasonable political disagreements based on the “burdens of judgment.” For most disagreements, the relevant evidence that bears on a dispute issue is often dispersed, indeterminate, not easily accessible, likely complex and open to more than one reasonable interpretation, and there can be different ways of balancing competing goals or values in light of it. If people are able to independently form their beliefs by use of their rational faculties, Rawls thinks we should expect that they will

come to different conclusions on the complex matters involving political issues (pp. 56-57). To use the earlier example of well-being and autonomy, a moderate libertarian and a moderate liberal will likely disagree about how to prioritize one over the other, not necessarily because one of them is being unreasonable or committing a gross error of irrationality, but because each freely exercising their own rational capacities will not necessarily come to the same conclusions about how to weigh competing values.

While my intent of this paper is not to comprehensively discuss all aspects of reasonable disagreement, I think Christopher McMahon shows that even a seemingly moral conception of reasonableness has some epistemic components to it. Christopher McMahon (2009) helpfully distinguishes between reasonableness as competence and reasonableness as fairness. The former is the more epistemic notion, where one adequately uses one's capacities of reasoning and judgment to develop a position that has prima facie plausibility in light of the available evidence (p. 18). Reasonableness in the second sense is the more moral sense where one makes and abides by fair terms of cooperation and is prepared to make appropriate concessions to others and their viewpoints in cooperative contexts (p. 19). We have reason to think a disagreement is reasonable when, despite extended good faith debate and deliberation, every position is reasonably rejected by at least one participant to the dispute (p. 26). When two people recognize that they are in a persistent and reasonable (in the competence sense) disagreement, if they are reasonable in the fairness sense they are willing to make some kinds of concession or accommodation with those other competent reasoners (p. 23). Political cooperation often requires certain kinds of concessions, but part of making concessions competently involves determining what values justify a particular concession, and how competing interests are brought into equilibrium.

Whether a disagreement about justice or fairness is reasonable or not can involve explicating whether the respective sides could be the product of competent exercise of human reason and judgment (p. 25).²

Of course, while it might be uncontroversial to say that some political disagreements are reasonable while others are not, giving a clear and principled demarcation between the two will be hotly contested, especially in any particular case. One might think that the demarcation of reasonable and unreasonable is itself a relative idea: Infowars enthusiasts will likely claim that questions about the 9/11 conspiracies or Barack Obama's citizenship are at the very least matters of reasonable disagreement. Given certain background beliefs, these theories can certainly appear reasonable. Climate change skeptics will insist that their scepticism about attributing climate change to human activity is a matter of reasonable disagreement, despite the overwhelming consensus in the opposite direction. Under what conditions are disagreements reasonable? One might say, following Christopher McMahon (2009), that disagreements are reasonable just in cases when all of the disputing parties are competent reasoners who give due consideration to all the relevant factors at play (pp. 8-10). But dispute over what factors are relevant is often the very issue in many political disagreements. Though this is not an uncontroversial approach, I think one less problematic way we can understand "reasonable" disagreement in this context is in a weak, minimalist sense that we have not been able to identify any obvious error in either party's reasoning. This is not to say disagreements that are seen as reasonable actually meet some criteria of reasonableness from an objective, God's-eye-view perspective, but rather simply that we have not located the error in reasoning yet. Here I draw on

²My thanks to a reviewer for drawing out this connection.

an analogy of Robert Talisse's (2011) weak epistemological pluralism that says there are value conflicts that do not seem amenable to any kind of rational resolution but not necessarily because of any culpable error on any disputant's part: whether by failure of rationality, error in judgment, or lack of knowledge (pp. 24-25). This gives attributions of reasonableness and unreasonableness a sense of provisionality, where disagreement that seemed to be reasonable at one time had a hidden flaw that was not fully appreciated at the time.

There may be other factors involved in how reasonable a disagreement is. For instance, it seems very plausible social identities play a role here. Social identities place individuals and groups of people in certain social locations, meaning some will have a better understanding of social dynamics than others. More specifically, people in historically marginalized social locations may have an epistemic advantage in the sense of having a better awareness and understanding of systemic oppression (e.g., racism, sexism, etc.) they face than those in more privileged social locations (Wylie, 2003). This social location thesis can become relevant when it comes to disagreements that happen between people in different social locations: if A and B disagree about whether a policy is sexist, it seems plausible that one of the participants being a man and the other being a woman could be relevant here. Of course disagreements that are the result of differential social positions might seem reasonable from one perspective—some evidence is available to those in one location but not another—in an important sense I think this would count as an unreasonable disagreement—the social location often being a result of social oppression, marginalization, and other forms of domination. Though I do not have the space to fully defend that claim here, I cannot dismiss a priori the relevance of social identities to political disagreements.

A Brief Note on Epistemic Peerhood

In epistemology of disagreement, distinguishing reasonable from unreasonable disagreements is usually taken to distinguish when one is permitted to dismiss a dispute without revising one's beliefs. Not even the most extreme conciliationist thinks that changing one's beliefs is the correct response to every disagreement, even if it is with a patently absurd and irrational conspiracy theorist. Instead, they want to limit their conciliationist prescriptions almost exclusively to cases where epistemic peerhood obtains. In light of peerhood's centrality to the disagreement literature, it is worth saying how this concept fits into this framework I have developed above.

What epistemic peerhood amounts to is itself, an open question: I mentioned earlier that Jennifer Lackey understands peerhood is when two individuals are equal in their abilities and expertise and share all the same evidence about the issue in question, but that is not the only view on offer. Others argue that it is when two people are equally reliable or just as likely to get the right answer as their counterpart (Elga, 2005). In terms of the dimensions of political disagreements I have laid out above, epistemic peerhood seems to be most relevant to both the genealogy and scope. Considering whether someone is adequately informed on a dispute at issue is important for determining how reasonable a disagreement is. Further investigation into another person's reasons for their beliefs may reveal a much deeper disagreement than originally understood or more commonality between them. Discovering that a person gets a wide number of issues wrong (by our lights) or lacks some crucial knowledge might lead one to think that they are not a peer.

Epistemic peerhood plays a significant theoretical role in determining what one should do in response to a political disagreement, as it can help distinguish disagreements that are worth taking seriously from those that obviously are not. But there are several problems with peerhood in the context of political disagreements. First, we often use partisan political affiliation as an indicator of what values a person holds and whether they tend to get important normative questions right or wrong. Suppose Jake, who is generally on the political left on most issues, discovers that Kelsey has affinities with members of the Republican party in the United States like Steve King—an Iowa House representative known for espousing white nationalist viewpoints, Alternative für Deutschland (AfD) in Germany or a pro-Brexit party in the United Kingdom. Kelsey's affinities with right-wing parties would signal that he tends to get many important political and moral questions wrong (by Jake's lights at least). This signal which would consequently motivate Jake to downgrade Kelsey as less than his epistemic peer (Elga 2005). Ebling (2016) takes a similar position in his dynamic account of peerhood (pp. 151-156). While this kind of downgrading of peer status on the basis of things like party affiliation can be an epistemically acceptable, and even virtuous, response to disagreement, it can, among other things, also make us susceptible to credulous consumption of fake news (Rini, 2017).

But the most general problem with peerhood is that it is an idealized kind of epistemic relation that hardly ever obtains between two real-world individuals. It is next to impossible that two people have exactly the same levels of expertise, perfectly shared bodies of evidence, or equally likely to be correct (King, 2012). It is even less likely that two people would recognize or acknowledge that this symmetry obtains between them. This poses a problem for the conciliationist because their prescriptions would only apply in situations that never actually

obtain.³ Idealizations are not inherently problematic, but the risk it runs in these cases the conciliationist and the steadfast can simply say, “Well, since peerhood does not obtain in these scenarios, the prescriptions of my view simply do not apply.” I worry that we are expending significant energies on epistemologies that have little relevance on how we deal with real world disagreements, since their prescriptions are only relevant for an infinitesimally small slice of real-world disagreements wherein peerhood obtains.

I do not have the space in this chapter to develop a more suitable account of peerhood that can address these issues in the context of real-world political disagreements. In Chapter Five, I will discuss a plausible for the moment, though, I think there are interesting epistemological questions about disagreements even when strict peerhood does not obtain. Following a suggestion from Nathan King, we might consider a kind of higher-order uncertainty from disagreement generates a puzzle similar to recognized peer disagreement. Even though peerhood does not necessarily obtain between the two disputants, it might still be unclear who is in a better epistemic position on that question (King, 2012, p.250). We might even consider a lower threshold of peerhood as potentially relevant for political disagreements. Andrew Rotondo (2015) calls a “deliberation peer,” someone whom one may think is wrong on a lot of important political issues, but nevertheless is someone “worthy of engagement and debate, from whom we can learn, who bring[s] significant arguments and evidence to the table, and whose opinions should not be curtly dismissed as inferior” (p. 3). Disagreements with a deliberation peer may motivate one to give a position a hearing that may not otherwise be epistemically justified. While

³This point may seem to give prima facie plausibility to the steadfast approach, but we should be hesitant to conclude that there is no epistemic significance from all non-peer political disagreements either. As discussed above, Nathan King describes how one can plausibly motivate an epistemic worry from disagreement without peer disagreement obtaining.

there is much more that needs to be said on this point, I think epistemologists of disagreement would be wise to consider how their idealized notion of peerhood cashes out in real-world cases, or begin to theorize about a broader range of cases beyond acknowledged peer disagreements.

Consequence

Finally, some political disagreements are consequential in ways that others are not. Some disagreements are inconsequential in that nothing hangs on their being resolved. Suppose Claire is having a disagreement with a more conservative family member over whether the individual mandate to have health insurance (required by the Affordable Care Act, a U.S. healthcare reform law) is an unconstitutional government overreach or a necessary aspect of a sustainable healthcare policy. If it is like most discussions like this, neither person will provide enough reason to sway the other side; in which case, it seems like the only option is to come to no resolution. And this “agree to disagree” outcome seems acceptable in part because there are likely no substantial consequences that result from that lack of resolution. Disagreements in informal settings seem to have this (relatively speaking) inconsequential character. But when Senators and Representatives deliberated over this very issue of the individual mandate in their legislative sessions, they likely went over much of the same evidence and arguments that Claire and her family member considered, and yet still had staunch disagreements over the issue. But what is different about the Congressional handling of this disagreement is that they cannot simply “agree to disagree” in the way that Claire and her family did. And the reason why is simple: how they settled that question would have far wider consequences; their decision would have coercive authority on everyone subject to that law. Even if they failed to pass the bill, even that would have dramatic impacts on millions of people. It seems reasonable, then, to think that

when coercive authority is at stake individuals should treat their disagreements differently than in situations where it is not. Andrea Sangiovanni (2008) has succinctly articulated the claim that many political disagreements are distinctive in that they make claim to the use of political authority: political disagreements are “not merely about which party is epistemically justified...but which party is politically justified in laying claim to the armature of political authority ... that shapes basic constraints and opportunities” (p. 157).

It seems reasonable then to think that in situations where coercive policy is being developed—as it is in formal legislation processes—that more impartial justification is required than there are in lower-stakes discussions of the same issue. The presence of coercive power in formal legislative and judicial contexts therefore plausibly encroaches on how one should respond to that disagreement in those high-stakes situations. The encroachment of coercion on certain political disagreements connects with a prominent theme in contemporary analytic epistemology known as pragmatic encroachment (Fantl & McGrath, 2012). Christopher Hookway (1990) has articulated a similar notion of encroachment that explicitly draws out an epistemic relevance of practical concerns, namely in when we are justified in gathering more evidence and data or going forward with acting on the available evidence: “the greater the disaster if our actions fail to achieve their purpose, the more evidence we require before we regard the belief as properly justified; the greater the risks attaching to inaction, the readier we are to act on limited evidence (p. 139).

But even if practical considerations do encroach on our beliefs generally, why think that coercion should be one such practical consideration when it comes to certain political disagreements? Take the following example. Suppose that I have strong justification to believe it

is ethically wrong to eat meat and therefore I should adopt a vegetarian diet and lifestyle. I might believe that if other competent moral reasoners considered the relevant factors about this issue, they would come to agree with me, and that the world would be better off if everyone converted to this way of life. But suppose we transposed these ethical beliefs about eating meat into the political domain, that I was a representative considering a law that would prevent people from consuming meat, or enact very stringent animal cruelty laws. Even if we granted the truth of this ethical belief that would not on its own justify these political actions. Part of what distinguishes political beliefs from other evaluative claims like ethical ones is that the former are aimed at giving us normative instructions of how we ought to cooperate and interact with each other, in particular what should be prevented or allowed. Political morality thus inherently claims authority over others, how people are allowed or prohibited from interacting with each other, in a way that strictly speaking ethical concerns do not. When a disagreement gets transposed into a situation where coercive authority is at issue, it elevates the stakes of the situation. The people subject to the coercive policy would justifiably require a reason for that policy, one that they might not be warranted in asking for otherwise. An ethical belief does not necessarily commit one to the further political claim that the state is warranted in constraining people from acting differently. When political attitudes have this coercive element to them, it is reasonable to think that this elevates the stakes of what kind of justification is necessary for them to be acceptable.

This request for a more impartial level of justification in the context of political morality is often cast as an issue of moral justification, but I think an epistemic aspect is operative as well. Thomas Nagel (1987) has argued for an epistemological division between the public and the private sphere, that we have to seek a more impartial justification for coercive political actions in

the public sphere than we do for ordinary moral beliefs in the private space: "...in certain contexts I am constrained to consider my beliefs merely as beliefs rather than as truths, however convinced I may be that they are true, and that I know it" (p. 230).⁴ On his account, we do not have to stop thinking that our beliefs are true or justified according to our own comprehensive epistemological perspective, only that from the political perspective they are required to meet some more impartial justification. Importantly, this impartial justification is not necessarily a "higher" justification. An impartial justification that meets Nagel's standard for the public sphere may still fail to meet a person's more demanding comprehensive epistemological criteria (cf. Bardon, 2018). A related epistemic consideration is that the justifications provided have to be acceptable to those who ask for it. As Fabienne Peter (2018) puts it, if a policy is to be politically justified it must be justified to the citizens who are subject to it. If there is no accessible reason available to them to accept some political decision, then we have some good reason to think that decision is not politically justified. It is highly unlikely that everyone would buy into those reasons that I find acceptable, chiefly because reasonable disagreement likely obtains in even the most idealized scenario. In the example of outlawing meat-eating given above, it is more plausible that many reasonable people would not come to the same conclusion as I do about prohibitions on the production and consumption of meat. As a result, one should seek for the more impartial justification that other reasonable people could theoretically accept. Of course, while actual individuals may not find it acceptable some idealized rational individuals would find (see Vallier, 2014, ch. 5).

⁴Thanks to a reviewer for making this point.

In surveying these four dimensions, a given disagreement will fall somewhere along each of these dimensions. Thus, there will be deep, irrational, consequential factual disagreements, as well as narrow, reasonable, non-consequential normative disagreements, and all the combinations in between.

Responding to Disagreements: Levels

Responding to a given political disagreement can take place at three distinct levels: confidence, beliefs, and policy. They could take place at the level of confidence. Suppose two women, Briana and Maria, disagree on the justice of legally permitting abortions. Each have divergent credences on the question of the justice of abortion of .2 and .8, respectively. After discussion with each other, though neither side was defeated by their interlocutor, they were also not able to successfully rebut their arguments either. This disagreement seems to involve what Gerry Gaus (1996) calls “undefeated but unvictorious” proposals, where it possible for someone to reasonably endorse a position, but also possible for others to reasonably reject it (pp. 151-152). As a result, they become less confident in their original position, and therefore downgrade their respective credences to .3 and .7. We can also talk about the confidence level in less formal terms of going from more to less confident in one’s position in light of a disagreement. There is no presumption that credence-conciliation would require any significant alteration to either one’s beliefs or their justifications for them. Ballantyne (2013) gives an example of confidence-adjustment without content-adjustment. The empirical research on how much people overestimate their own skills and competency may even support the more radical claim that disagreement (at least with one’s epistemic equals) should make a person weakly confident that they themselves are wrong (Wiland 2016).

We could also respond at the level of the content of our beliefs. Martin Ebeling (2017) exemplifies this level in his case of three legislators (A, B, C) who are deliberating on what the top tax rate should be: A says 40%, B 50%, C 60%. If A, B, C are peers with each other (i.e. agree on all the factual and normative issues related to this question), then Ebeling thinks the uniquely rational thing for them to do is “achieve full epistemic conciliation” with each other, in this case at 50% (p. 173). Though adjusting one’s confidence does not necessarily require any alterations of one’s beliefs, often they are related: it is difficult to imagine a substantial shift in one’s confidence without some attendant alteration in one’s beliefs. If someone provides you with a previously unconsidered argument or reason to think one’s beliefs are false, that will often result in one becoming less confident in those beliefs. One could also include in this level of conciliation the modification of reasons and justification as part of the content of the belief, where one is incorporating those new justifications into one’s belief structure.

Finally, we can respond at the level of a plan or policy. On this level, we are not adjusting our beliefs or confidence in them; instead, we are agreeing on a plan or policy that in some way accommodates some of the representative viewpoints. Policy-level resolutions often take the form of a compromise, where disagreeing parties see the ultimate resolution as a second-best option that is inferior to what their ideal solution would be (Wendt, 2016, p. 14).

What is the relationship between these three levels? There is a significant literature on the general relationship between beliefs and credences (Jackson, 2018), whether one is reducible to the other or whether they are distinct entities that play different roles in our epistemic and cognitive lives. I would say these levels of responses are conceptually independent of each other: while becoming less confident in one’s beliefs might at some point motivate making some

significant modifications of one's first order beliefs, that connection is not necessary. Similarly, modifying at the policy level does not necessarily require substantial revision at the level of one's beliefs or confidence.

Epistemic Components of Compromises

Incorporating compromises into an epistemological account raises several questions about the epistemology of political compromises. First, how does a compromise on policy differ from mere bargaining that is part and parcel of the normal operations of politics? The concern about mere compromise is that this creates a kind of *modus vivendi* agreement. Rawls (2005) speaks of a *modus vivendi* as an agreement wherein two parties resolve a conflict only out of pursuit of their own interests. They do not come to terms because they have converged on some justification that all parties find acceptable but because they are not able to pursue their own interests or achieve their own ideological goals in any other way. I suggest that compromises can be an epistemic kind of *modus vivendi*, where there are no epistemic reasons to justify it, but only practical ones. Second, compromises are epistemically peculiar because they are by their very nature viewed as the second-best option. While there might be practical justification for adopting a compromise (May, 2005) is there any distinctively epistemic justification these second-best compromises might have?

There are several ways to develop what epistemic justification for compromises might look like. Federico Zuolo and Giulia Bistagnino (2018) argue that a compromise can be epistemically motivated by recognizing the other party as an epistemic peer, or an epistemic equal. While this is a helpful response, I think there is more we can say about the epistemic justification of compromises. The alternative to an epistemic *modus vivendi* I have in mind here

is that the agreement they eventually come to should meet some kind of epistemic legitimacy criterion. What might epistemic legitimacy look like? Epistemic legitimacy can be located in two different sources: in the final outcomes or decisions that a political body generates or in the procedures by which the body comes to its decisions. This first source would be a kind of substantial legitimacy: an agreement A is epistemically legitimate only if all parties to it can locate a reason in their set of beliefs that would make A acceptable to them. The second source is a procedural kind of legitimacy, where the source is legitimate because it was produced by an epistemically fair procedure. Fabienne Peter (2007) points out that these sources of legitimacy are not mutually exclusive, as one can have a substantive (or “rational”) proceduralism that combines both sources as conditions of epistemic legitimacy: a compromise must be rationally justified as well as decided by an epistemically fair procedure (pp. 338-339). David Estlund (2009) has defended this kind of hybrid position he calls epistemic proceduralism on the grounds that, if his account is correct, it shows that democratically fair procedures are not just good in themselves but also serve one of the central epistemic goals of achieving true beliefs. One might worry, though, that looking for compromises that are epistemically legitimate in Estlund’s substantial sense is unrealistic, as it would require more agreement than we could expect to get in a situation where resorts to a compromise decision. In fact, since participants will likely view their original pre-compromise position as more fully true than the compromise itself, requiring agreement that the end decision is the truest option seems implausible.

I think the more purely proceduralist account developed by Peter (2007) would be more realistic account of legitimacy in situations where epistemic compromises are usually called for. One can find a policy outcome unacceptable in its content, while still thinking that it is

acceptable because the procedure by which it was decided is acceptable. Following her account of pure epistemic proceduralism, what is required for compromises to be legitimate is not only that all parties to the dispute can participate in the deliberation and decision-making process under conditions of political and epistemic fairness, that but also that all are able to “regulate public deliberation at the fact-gathering and analysis stages” (pp. 343-344). Furthermore, one can see these kinds of democratic procedure as themselves compromises: Aurelia Bardon (2018) has argued that democratic procedures are themselves best viewed as epistemic compromises that do not have to be acceptable as a more comprehensive epistemology. For instance, suppose one is a religious person who believes that revelation is a vitally important epistemic source for one’s beliefs about God and the world, but one is considering a set of rules and procedures that do not permit revelation as a valid source of evidence in its proceedings. On Bardon’s view, it is not inconsistent for this religious person to affirm this public epistemology as acceptable in the public sphere while rejecting it as a satisfactory epistemology outside of that limited scope. As long as everyone agrees that these kinds of procedures are acceptable for use in deciding public or political questions, they can reject these procedures in favor of a more expansive epistemology to answer comprehensive questions that fall outside of the political sphere.⁵

Gustavo Dalaqua (2019) has argued that democratic procedures can also answer the agonistic criticism that political liberalism is insensitive to the role of power in political

⁵Legal theorist John Inazu (2016) has argued for a similar kind of proceduralism to Peter’s and Bardon’s that shores up the space for dissent by strengthening rights of association and expression as well as how widely available government funding is a wide swathe of viewpoints and ideologies. This allowance of space for disagreement from majoritarian and other social pressures, is not a given, of course, and whose outlines have been the subject to plenty of controversy. One can see this sort of accommodation in the form of religious exemptions, carve outs for claims of conscience more generally. The motivation for these, it seems, is that while we cannot agree on the relevant substantive issues, we should allow some sufficient space for those who reasonably disagree.

operations. The epistemic models of democracy that see democratic procedures as the rational exchange of arguments aimed at attaining the truth (or at least a more justified positions) can be compatible with more agonistic models of democracy that conceive of democratic procedures as locations of contestation and passionate conflict. The reason this opposing models can be harmonized is that democratic procedures allow for compromises not only between opposing sides and requires participants to cultivate a “non-dogmatic stance and recognize themselves as fallible beings” (p. 594).

Justificationism Revisited

To connect this discussion of political disagreements to Lackey’s (2010) justificationism, to address the different kinds of political disagreement outlined above, we have to look beyond Lackey’s account. First, answering Lackey’s specific question about where the balance of epistemic justification lies would likely rely on asking at least some of these questions like “how much justification do we need? Is it a factual disagreement or normative one? Narrow or wide?” Why might these considerations be relevant to determining where the preponderance of the evidence lies and how we should respond to a given disagreement? It is true that a disagreement’s domain, scope, or stakes does not tell us anything directly about where the balance of justification lies in a given case or what we should do in light of that. But I want to suggest that these elements of a disagreement can indicate what information is relevant as evidence. The inflation case discussed in §2.1 already demonstrates how determining the domain of a disagreement is helpful in adjudicating it.

Scope can be similarly helpful in determining how to respond to a disagreement. Suppose that Laura and Siray are having a disagreement about whether a given shutdown order is an

advisable policy in response to a coronavirus outbreak. Suppose that while Laura's support for the shutdown is based on mainstream epidemiologists' recommendations, but Siray opposes it because he gets his news about COVID-19 exclusively from watching conspiracy theorists like Alex Jones and Youtube videos like "Plandemic." His use of unreliable sources seems like a good reason to think their disagreement is fairly deep but also unreasonable, and that Laura's is epistemically preferable. Conversely, suppose Siray is a reasonably well-informed and competent philosopher of science and has come to the judgment that epidemiologists' data are insufficient to support a stringent shutdown. He and Laura might still have a fairly deep disagreement, but if he can provide some reasonable defeaters that undermine her position, then it might be reasonable to think Laura should move closer to his view, or perhaps become less confident in her original position.

I think we can improve upon Lackey's justificationism. I will call this development "political justificationism." This view has two parts: one can respond to political disagreements at three different levels: confidence, content, and policy. Determining at what level to respond will likely depend on the specific features of the disagreement is: what it's about, how widespread it is, its genealogical sources, and its consequence.

Problems for Political Justificationism

A natural question that arises for this position is how these two pieces interact. How do the features of a disagreement determine what level of response it should receive? One might hope that one could give a general account of political disagreement. "Having an unreasonable value disagreement? Stick to your guns at all level!" "Having a reasonable factual disagreement? Adopt a compromise on a policy that's acceptable to all parties involved." I want to lay out two

reasons to be skeptical that construing political justificationism as this kind of generalist epistemology is plausible. This pessimistic attitude is motivated, first, by how many different kinds of disagreement there are. While I think the diversity detailed in §2 is a virtue for political justificationism, it is not an exhaustive account. Political justificationism presents a complex menagerie of disagreements, but it must be noted that these dimensions still elide numerous further complications and nuances that we find when we examine individual cases. The nuances of these specific disagreements could plausibly affect how we should respond to them.

Take the domain dimension distinguishing disagreements over facts and norms. Not all policy-relevant facts are the same. While well-informed expert opinion tends to coalesce in some static domains but tends to diverge wildly in others (Shanteau, 2015). Politically relevant facts are thus likely just as variable in this same respect. But what would follow epistemically from the claim that fewer disagreements arise in the former domains than in the latter ones? Should we characterize disagreements in discordant domains as more reasonable than those where convergence more regularly happens? Such a sweeping claim seems presumptuous to make from the philosophical armchair.

Furthermore, factual and value disagreements are themselves often so closely intertwined it is often difficult to pinpoint where to locate a particular disagreement on the domain spectrum. Disagreement about whether life begins at conception might appear to be factual dispute related to abortion, but, even if it is a factual question, it often spills over into more normative claims about whether to prioritize the value of a woman's autonomy or the life of a fetus, the interpretation and relevance of sacred scriptures, and so on. Adjudicating the reasonableness of

abortion disagreement may require determining the reasonableness of those more specific disputes.

Further nuances arise when we consider the scope dimension more closely. All deep disagreements are also not all deserving of the same kind of response. Some deep disagreements are the result of belief polarization, where individuals become more extreme in their attitudes. It is a common assumption that belief polarization is generally epistemically undesirable, perhaps even irrational. For instance, Thomas Kelly (2008) has argued that the presence of belief polarization in our beliefs should give us pause about how confident we are in them. But we should be wary of taking the epistemic undesirability of these kinds of deepening disagreement as a general principle. There are some empirical instances (Lindell et al., 2017) of deepening disagreement in deliberative forums that do not seem to have many of the epistemic defects that are normally ascribed to polarizing beliefs. There are also lots of complexities along the urgency dimension as well. While disagreements over an annual budget might be urgent in some important sense, they are likely not as exigent as disagreements over a human right legislation. The differences even within tokens of the same type of disagreement make me skeptical that they warrant the same kind of response.

I think what follows from this diversity of political disagreements makes it difficult, if not impossible, to expect a general epistemology of political disagreements from the philosophical armchair. In one sense it is uncontroversial to say that there is not a general response to disagreements. Not even the most extreme conciliationist or steadfastist suggests that their prescriptions apply to all disagreements. But the more specific claim I am defending is that we should be skeptical of very broad generalities about how we should respond even to different

types of political disagreement. If there is an account that can do justice to the diversity of these disagreements—both between the different types and also tokens of the same type—it may depend on the particular features of the context in which the disagreement takes place. Luckily, we have a model for this kind of reasoning from the casuistry tradition in bioethics that is skeptical of starting with abstract general moral principles to decide what to do in medical decisions (Jonsen & Toulmin, 1988; Jonsen, 1995; Arras, 1991). On the generalist view they oppose, making ethical decisions involves starting from universally applicable moral principles, and then applying them in particular circumstances. Practitioners of casuistry, or casuists, argue that this generalist top-down methodology is too insensitive to the particular nuances of cases. They instead favor evaluating situations on a more case-by-case basis. When evaluating what to do in a given situation, they begin with a thorough description of the features of a case. Albert Jonsen, Mark Siegler, and William Winslade (2006) have developed a four-box analysis method that conceptualizes the relevant aspects of a medical case: a patient's clinical indications (given her condition, how can she be benefitted or not harmed?), her quality of life (What are the prospects for her having a decent quality of life?), the patient's preferences (Is the patient's right to make an informed choice being respected?), and other contextual features (What procedure and outcome is fair and just to all parties involved?) (p. 7). While general moral principles like autonomy, beneficence, non-maleficence, and justice can certainly play a role in these kinds of deliberations (see Jonsen, 1995) casuistry relies more heavily on reasoning by analogy to decide what should be done.

Political Justificationism: A Casuistical Epistemology of Political Disagreement

Following the four-box method from casuistical medical ethics, I propose a similar four-box method (displayed in Figure 1) for analyzing political disagreements. While it might be difficult to provide many broad principles how to deal with the complex types of disagreement, I will sketch out how political justificationism's analysis might be helpful. Let us examine a case of disagreements that are deep and reasonable. Suppose we return to the case mentioned in §3.1 of Briana and Maria deliberating over whether abortion should be legally permissible. After they discuss the reasoning behind their positions, neither is able to provide a decisive defeater for the other person's position. However, each of them seems to be peers, in at least a minimal sense that they have both demonstrated themselves to be competent, well-informed, reflective, and good-faith reasoners about this issue. Since they seem to be on an epistemic par with each other, that gives them some reason to think that their respective positions might not be the only reasonable ones or that they may have made some kind of error. And nothing hinges on their failure to agree; they are not deciding policy or ruling on current legal case. In light of all these features a moderate epistemic revision seems like a permissible response. They might moderately reconsider how confident they are about their respective positions. Of course, such judgments of reasonableness and moderation are defeasible, as this case is abstractly and idealistically sketched. It is possible that Briana or Maria provided a defeater that the other person should have recognized but failed to. If their discussion revealed that either Briana or Maria's views were founded on accurate or misleading information or that one (or both) of their attitudes were being influenced by some cognitive biases that would provide some reason for a different judgment.

<p style="text-align: center;">Domain</p> <p>What is the disagreement about? How persistent is disagreement in this domain? Does this disagreement involve any observational predictions? What kind of evidence bears on this disagreement?</p>	<p style="text-align: center;">Scope</p> <p>How widespread is the disagreement? What are the places where evidence is not shared? In what sense are the disputants epistemic peers, if at all?</p>
<p style="text-align: center;">Genealogy</p> <p>What is the source of the disagreement? Under what circumstances did this disagreement arise? What biases are being manifested by participants in this disagreement? Are there any identifiable cognitive biases that are influencing either party to the dispute? How might social identities contributing to this disagreement?</p>	<p style="text-align: center;">Urgency</p> <p>Does this disagreement need to be resolved? Are there any likely consequences to a failure to agree? Are there any likely consequences by coming to an agreement too quickly? If a disagreement is urgent, what sort of features does it need to have?</p>

Figure 1. A 4-Box Approach to Political Disagreement

But not all putatively reasonable disagreements will necessarily get the same treatment. Suppose city council members, represented by Lori and Toni, are considering implementing a shutdown order to deal with a pandemic. Suppose Lori represents those council members who think the shutdown recommended by a majority of epidemiologists is the best. Toni, on the other hand, represents those who think that a shutdown is not the way to go, and their conclusion is not based on listening to unqualified cranks or conspiracy theorists, but on well-informed, competent epidemiologists who happen to dissent from that majority opinion. As far as each side can tell, the other side is not substantially more or less competent and well-informed than they are. But even though Toni and Lori represent what seems to be a reasonable disagreement, their dispute is more consequential than Briana and Maria's, as the council members will have to make an ultimate decision one way or the other, one that will have dramatic effects on others. In a less

dire situation, it might be reasonable to put off making that choice while they can gather more information that might help resolve their dispute. But in a crisis situation like a pandemic, one often does not have the luxury of researching policy proposals indefinitely. They have to make the choice given the information available to them.

What should we make of political disagreements that seem more unreasonable? One example to consider is the Finnish deliberative poll discussed by Marina Lindell et al. (2017). The researchers wanted to compare the differences between those who deliberate in like-minded groups and those who are in more heterogeneous groups. Prior research suggested that the participants in like-minded groups would engage in more polarization than the heterogeneous group. Based on a survey of their initial attitudes on immigration coming into the deliberation, they were then randomly allocated to like-minded groups, heterogeneous groups, or a control group. In this study, participants who polarized their opinions did not display many of the features that ordinarily make polarization problematic from a normative standpoint: they formed their beliefs in heterogeneous groups—so there was very little possibility for a groupthink dynamic—and showed normal levels of information absorption and learning (p. 39). One might expect those who moderated their position post-deliberation would be the ones who learn more, display more empathy, and become more open-minded. But in this case, the polarizers displayed many of the same behaviors and dispositions as those who moderated their opinion (p. 40).

How would the four-box method approach this case? Is that polarized attitude shift epistemically justified? The first thing that stands out here is the apparent absence of epistemically undesirable biases or forces: there was not any obvious group effects or individual biases that were influencing people in epistemically problematic ways. Regarding urgency, they

are not policy-makers crafting immigration policy so there are no implications from them failing to agree, nor are they coming together to make a collective conclusion or decision either. Since many of the epistemically problematic features of polarization did not show up in this case, that might provide some to tentatively say that this the polarizing behavior was more reasonable than it might have seem to be. One suggestion is that the participants were exhibiting preference clarification where as a result of deliberation and discussion individuals come to have a clearer, more reflective understanding of what their actual commitments and preferences are (Lindell et al., p. 23). Preference clarification may sometimes result in convergence and moderation of opinions, but it may also result in polarization.

The authors conclude, rightly in my estimation that we should not assume that polarization as a result of preference clarification is necessarily bad, epistemically speaking. One might wonder, though, about the long-term epistemic effects of such further polarization; while the clarification of their preferences might be worthwhile and desirable epistemic achievement in isolation, one concern is how that development might affect subsequent interactions. Will this polarization incline them to further retreat into ideological informational silos that entrench their views and make them less open to hearing the other side, or less likely to see those they disagree with as reasonable?

The Parallels between Political and Medical Decision-Making

The motivation for political justificationism taking a particularist orientation relies on a purported analogy between the task of dealing with the various aspects of a political disagreement and that of clinicians drawing on the features of a medical case together in making a recommendation as to how to proceed. The purported similarity between dealing with

disagreements in the political and clinical domains, however, is far from obvious. In what sense are these tasks truly parallel with one another, such a method in one domain would be useful in the other? Despite their manifest differences, these domains are nonetheless similar enough to warrant similar particularist methods. Both domains have two common dimensions to them. First, they are both domains where disagreements are strongly held. Of course, strongly held beliefs are found in many other areas of life, like aesthetics and religion. But what separates the political and clinical settings from other settings in which disagreements over strongly-held-beliefs take place is that in the political and clinical settings, both are generally practically oriented in that they aim toward a decision. Disagreements over political matters are hashed out, and then policies are voted on and either passed or not. While the voting procedure is not a component for decision-making in clinical settings, disagreements there still take place between health-care workers, patients, family members, and other relevant parties, and yet there needs to be some kind of resolution about how to proceed in the case, who gets to make the ultimate decision, and so on. In either setting, disagreements will spring from parties having different values, understanding the same values differently, or prioritizing them a different ordering, and so on. In both settings the ideal outcome is some plan of action or policy that is to the greatest extent possible is at least acceptable to all parties involved.

Conclusion

I began this chapter with the aim of developing a more adequate epistemology of political disagreement, specifically through Lackey's justificationist approach. I have argued that what follows from her approach is that there is neither one kind of political disagreement, nor even one level at we can respond to them. While these points might seem rather banal, I think the

importance of noticing the diversities at play illustrates the difficulty in developing a generalist approach to political disagreement that seems to be the default assumption in much discussion of epistemology of disagreement. The alternative I have sketched out here suggests that figuring out how to properly respond to political disagreement is likely going to require paying attention to the fine-grained details of its type and its circumstances and then a good deal of deliberation (internally but interpersonally) about which level of response—confidence, content, or policy—is warranted.⁶

⁶My thanks to David Ingram, Paul Moser, Kristen Irwin, Nathanael Smith, Jeffrey Hoops, Oscar Piedrahita, audiences at the Ryerson University and the University of Tartu, Bruno Mölder, and two anonymous reviewers for providing helpful feedback on earlier presentations of this paper.

CHAPTER FOUR

EPISTEMIC HUMILITY AND PUBLIC REASON, AND COMPROMISES:

A RESPOND TO VAN WIETMARSCHEN

Introduction

In Chapter Three, I argued that an adequate epistemology of political disagreement will have to consider multiple levels at which one can respond to a given dispute: at the level of confidence, the content of our beliefs, or at some policy or plan. Each of these levels raise important but distinct epistemological issues that are relevant for fleshing out the account of political justificationism more fully, namely how it relates to the issue of epistemic humility, the concept of public reason, and epistemically justified compromises. To see the relevance of the previous discussion to issues of intellectual humility, political justificationism reason, and compromises, it is helpful to see some recent attempts to leverage claims from the epistemology of disagreement literature to motivate skeptical claims about political disagreement in particular.

Han van Wietmarschen (2012) has developed a skeptical argument from the epistemology of disagreement that presents an epistemic problem that he argues political liberalism cannot solve. With his co-author R. J. Leland, van Wietmarschen argues that political liberalism places a demanding requirement of intellectual modesty on citizens. Since there are limits on what a person should believe about the level of competence above which all people converge in their judgments (p. 727), a reasonable person cannot assume that all reasonable, competent thinkers will converge on a judgment over a political matter. Being such a reasonable

person A willingness to display the kind of constraint this requirement aside therefore requires a substantial amount of intellectual humility. From there, van Wietmarschen thinks that political liberalism requires citizens to be epistemically reasonable in a way that results in what he calls Justificatory Incoherence:

If you are a reasonable citizen who holds a set of religious, moral, or philosophical beliefs, then either your belief that these beliefs are subject to peer disagreement is unjustified, or your religious, moral, and philosophical beliefs are themselves unjustified. (p. 2)

Once reasonable citizens recognize that their epistemic peers disagree with your religious, moral, or philosophical beliefs that undermines the justification they have in holding them. Political liberalism, on van Wietmarschen's account, cannot reconcile citizen's religious, moral, and philosophical commitments with the epistemic requirements of its desired political order.¹

I will make two opening remarks regarding van Wietmarschen's argument. First, to get van Wietmarschen's position off the ground we have to grant the truth (or at least plausibility) of conciliationism as a general approach to political disagreement. I will leave the work of the previous two chapters as my argument for why we should at least be skeptical that conciliationism is an adequate one-size-fits-all response to political disagreements, even all peer disagreements. Second, as an exegetical matter concerning the epistemic commitments of political liberals (or those sympathetic to similar positions), I am skeptical that they are in as much trouble as van Wietmarschen thinks they are. I do not think John Rawls² or Jürgen

¹David Enoch (2017) has a similar criticism of public reason's epistemic commitments, namely that there is no way of spelling out the content of what a reasonable person to hold a contentious belief while also recognizing that other smart, fair-minded, and attentive to the relevant evidence do not come to the same conclusion.

²An early understanding of Rawlsian political liberalism may fall prey to van Wietmarschen's kind of objection, but I think later iterations Rawls came to appreciate this deficiency and worked to correct it (Rawls 2005,

Habermas' respective commitments are subject to this kind of concern, much less convergence theorists like Gerald Gaus (1996, 2011) and Kevin Vallier (2014). Beyond this exegetical claim, I think that van Wietmarschen criticism of political liberals appears to exhibit a level of confusion that ignores the various epistemic levels at play in political disagreements that I outlined in the previous chapter. Even if it is true that liberalism requires some degree of compromise for the purposes of managing a diverse cosmopolitan society, that response operates chiefly at the level of policy. It need not require extensive revision or modification of one's belief or how confidently they are held. While van Wietmarschen and Leland are correct that liberalism of almost any stripe is committed to a principle of reciprocity that has epistemic consequences for its citizens, I will argue that adopting the requisite kind of reciprocity associated with many variants of political liberalism does not necessarily involve adopting the radically demanding sort of intellectual modesty at the level of our beliefs that van Wietmarschen suggests. What I want to do here is suggest that a more nuanced epistemology of political disagreement, we can at least mitigate this skeptical worry. While participation in cosmopolitan democratic procedures may require some levels of moderation in how confidently we hold our political beliefs and argue for the policies we want enacted, I will argue that these adjustments are still entirely consistent with having a robust set of beliefs that are confidently held. While it might be true that a given belief is not justified in the sense of satisfying some criteria of public reason or justification that does not necessarily mean that it is unjustified simpliciter.

xlix-li). See also Landemore (2017) for further discussion why the Rawlsian kind of liberalism is not wedded to the epistemic abstinence that is often attributed to it.

To critique van Wietmarschen and Leland's account of reciprocity does not mean that we should reject the concept of reciprocity completely. That would be a mistake, as liberalism does seem committed to something in its place, though their account of it is misguided. Japa Pallikkathayil (2019) argues that the issue with accounts like van Wietmarschen and Leland is that they understand reciprocity as a duty of restraint, of what you should not believe or articulate in political deliberation. She suggests that reciprocity could be construed as a duty of responsiveness to the disagreement of one's fellow citizens. One is responsive to another person's disagreements first by looking for any reasons that are shared by all parties. In the absence of such shared reasons, responsiveness requires that one be open and transparent about one's non-shared reasons, engage in good faith, and be open to similar kinds of engagement from her fellow citizens (Pallikkathayil, 2019). Though Pallikkathayil is developing responsive citizenship as a moral standard, I think we can find parallel epistemic forms of responsiveness as well. Indeed, I will show that each of the levels of responses to disagreement discussed in the last chapter—confidence, content, and policy—can place some kind of epistemic responsiveness on citizens. Responsiveness to political disagreements at the level of one's confidence does not (necessarily) require suspension of our belief in them or outright rejection of them, but looks more like a form of intellectual humility, a disposition whereby one appropriately attends and appreciates the limitations of one's perspective while also subjecting one's beliefs to appropriate kinds of epistemic friction that challenges them. At the level of beliefs, responsiveness involves not becoming skeptical about one's beliefs so much as a commitment to giving reasons or justifications them to others. This justification to others does not require seeking shared reasons

that all reasonable parties accept, but nor for merely intelligible reasons that are intelligible to all reasonable persons.

Confidence-Level Responses and Intellectual Humility

I will begin at the level of confidence. What is required of people at the confidence-level when it comes to political disagreements? Rather than starting with the positive answer to this question, it might be helpful to begin with a problem that manifests at this level, and then work from there. While there are certainly numerous kinds of problems concerning confidence and political disagreements, the issue that I will focus on is overconfidence, where a person is too confident in their political beliefs and attitudes. As a cognitive bias, overconfidence can take many forms: it can be an overestimation of one's abilities or reliability on a given issue, overrating one's performance relative to others, as well as excessive certainty that one is correct (Moore & Healy, 2008). There is reason to think that overconfidence in various forms drives a wide range of political behaviors, from ideological polarization to partisan identification (Ortoleva & Snowberg 2015). A corollary to overconfidence is an attitude towards others, that those who disagree with them are either ignorant, pernicious, or both. While popular discussions of this problem of political overconfidence often frame it as a problem of civility, Michael Lynch (2019) has argued that the issue goes deeper than the incivility:

Civility marks a social norm, a baseline of appropriate social conduct. But how we act is the result of how we think—what we believe and therefore think we know. So, if we want to understand our “uncivil” behavior, we must start with our attitudes toward our beliefs. (p. 12)

Thus the issue is not simply that people often act uncivilly toward others when they disagree on political issues, but rather that they hold their beliefs arrogantly or dogmatically, that they believe not just that they are correct but even further that they cannot be improved by the

perspectives of those with whom they disagree. What makes overconfidence even more problematic is that while we are fairly good at diagnosing this overconfident tendency in those with whom we disagree, we are particularly bad at recognizing when our own beliefs or those we are sympathetic to fall prey to these tendencies. This inability to self-diagnose is made all the worse by the fact that many of our social media platforms and search engine results are designed precisely to give us results that reinforce those preexisting attitudes we have, giving us the often-faulty perception that more people—or perhaps more reasonable people—see things the way we do. Furthermore, this kind of overconfidence dynamic manifests itself across the spectrum of political ideologies, and so it is not limited to any specific spectrum of the political landscape.³ Political overconfidence also has spillover effects that taints our ability to evaluate relevant evidence about policy.

If overconfidence is the problem under consideration, what might be its solution? One response might be that people should just be more skeptical of their attitudes. Yet this recommendation on its own can go too far in the other direction of recommending that we be epistemically diffident or shy away from having convictions at all. In running from the lion of overconfidence we seem to meet a bear of underconfidence. We should heed the reminder of Bertrand Russell (2004) that the problem of our political situation—his and our—is not just that “the stupid are cocksure” but also that “the intelligent are full of doubt” (p. 204). Though too many people are overly confident in their political convictions, we need not see convictions themselves as the enemies of reason and evidence (Lynch, 2018, p. 13). One way of threading

³While overconfidence does show itself across the political spectrum that does not necessarily demonstrate that it falls uniformly or symmetrically across political ideologies. Overconfidence could be a dynamic that it itself asymmetrically polarized.

the needle between these two undesirable positions might be taking an attitude of like intellectually humility. But that would only raise the question of what exactly intellectual humility is in the first place. To answer how these two things might be connected, we should take some time to understand what intellectual humility is, and the burgeoning literature that has tried to analyze this concept. The intent of this discussion is not to offer a distinct account of intellectual humility or provide a definitive argument for one of the many accounts currently under consideration, as I will draw elements from several different accounts currently on offer. Rather I will develop a plausible intellectual humility that addresses van Wietmarschen's scepticism.

Within the framework of virtue theory, we might think that intellectual humility is having an appropriate amount of confidence in one's political attitudes, neither too much (overconfidence) nor too little (timidity), but a proper balance between those two vicious extremes. Ian Church and Peter Samuelson defend a doxastic account of intellectual humility which is "the virtue [of] accurately tracking what one could non-culpably take to be the positive epistemic status of one's own beliefs" (Church & Samuelson, 2016, p. 25). On this account, to be intellectually humble is where one is disposed to believing of a strongly justified belief that it is strongly justified, of a weakly justified belief that it is weakly justified, and so on. This approach contrasts with others who describe intellectual humility as a person's disposition that is unconcerned with the social status that happens to be attached to one's beliefs (Roberts & Wood, 2007). Others see intellectual humility as when a person views their own worldview "as open to the improvement from new evidence and the experience of others" (Lynch, 2018, p. 163) or

being willing to acknowledge forthrightly the limitations of one's current viewpoint (Ballantyne, 2019).

Some might point to intellectual humility's relationship to a similar concept of open-mindedness, where the latter denotes a willingness to explain one's reasoning for one's own position and consider the perspectives and arguments that contradicts one's own prior opinion, even if one sees those ideas as wrongheaded, irrational, or even abhorrent. The difference between intellectual humility and open-mindedness is that while the former focuses inwardly on how one countenances one's own attitudes, the latter focuses outwardly on how one countenances the attitudes of others. That being said, while these stances are conceptually distinct, it seems hard to imagine a person genuinely having one such attitude without also having the other one as well. A person who is intellectually humble in the sense of appropriately countenancing their own attitudes while simultaneously being unwilling to consider the views of those with whom they disagree is in some sense lacking in both intellectual humility and open-mindedness.⁴ Likewise Duncan Pritchard (2019) has argued that intellectual humility is different from open-mindedness because the latter does not require a kind of motivational state.

One issue with Church and Samuelson's (2016) proposal is that it makes intellectual humility to be something more like a banal canon of ordinary epistemic rationality or just responsible belief. Such an account undersells the distinctiveness of intellectual humility as a specific kind of intellectual excellence rather than just another way of describing epistemic justification (Whitcomb et al., 2017, p. 512). To encourage someone to be more epistemically

⁴In the language of Alvin Goldman (2001), even if intellectual humility and open-mindedness are not identical or even inseparably united, they might nevertheless be thematically united in both sharing a common epistemic goal. In this case, as I will argue below, I think that common epistemic unity is receptivity to the possibility of further insight or improvement.

humble is not the same as encouraging them to believe what is true or most justified. I think this criticism gets at an important element that is missing in Church and Samuelson's (2016) approach that I think can be further elaborated. While it is true that intellectual humility involves properly apportioning one's attitudes to the evidence, the issue of humility is not so much about one's first-order beliefs themselves, but rather a higher-order attitude about those beliefs (Hazlett, 2012). Intellectual humility is more about what kind of epistemic status one gives to one's first-order beliefs, that one neither overestimate their status nor underestimates them. Ian James Kidd (2016) helpfully describes intellectual humility as management of one's confidence involved for one's intellectual conduct. Managing one's confidence involves, first, an awareness of the confidence conditions that are relevant to an agent and her epistemic life and whether those have been fulfilled: what their capacities and experiences are, as well as how confident they are in the capacities of those one is relying upon (p. 396). Intellectual humility as management of one's confidence, ensuring that various aspects of one's intellectual life are justified by one's fulfillment of those confidence conditions. Along similar lines as Kidd, I think an intellectually humble person is careful to not exclusively focus on about one's beliefs, to use the words of Donald Rumsfeld, on the "known knowns." Intellectual humility must also be cognizant of the prospect of "unknown unknowns," what aspects one is not even aware of: one cannot have an appropriate attitude towards something one is wholly unaware of. Of course, there are lots of unknown unknowns in any given situation: one could be unaware of evidence that further reinforces one's current position or that undermines it. One's intellectual practices could be unintentionally ignoring certain evidence, or dismissing it because of the person's race, sex, speech pattern, etc. Intellectual humility is, first, a disposition of an awareness of those what

one knows and what one does not; holds open space for the possibility of insight and improvement of one's own belief, even when one has not yet identified the place that needs improvement. Likewise, open-mindedness holds open space for the possibility of insight and correction from others, even whether such epistemic gains are as yet unseen. Intellectual humility engenders a qualified pessimism about one's own beliefs—"There's surely a mistake here somewhere!"—but a qualified optimism about other people's beliefs—"Maybe I can learn something from this intelligent person!"

One might think that this naturally lends credence to the limitations view advocated by Whitcomb, Ballantyne, and others, that being intellectually humble involves awareness of that space for improvement. Yet there are two problems with such an account. First, attention to one's limitations is not always a virtuous attitude towards one's beliefs: an intellectually timid or servile person is too attentive to their limitations (Church, 2017). Even if one is appropriately attentive to one's limitations, one can do so for the wrong reasons, say that if one acknowledges one's limitations for the purposes of being praised by others. Yet I think intellectual humility is not just a recognition of the limitations of one's perspective but also a motivation to avail oneself of opportunities that expose those limitations to situations where they might be corrected. Suppose one were to attend appropriately to one's epistemic limitations but that attention had not impact on what sort of beliefs they formed, what kind of intellectual habits they developed and pursued. Intellectual humility would be a very peculiar virtue if awareness of limitations or management of confidence did not in some way regulate that person's conduct (Kidd, 2016, p. 397). I want to suggest that intellectual humility is tightly connected to how we conduct ourselves in our intellectual lives. In particular I want to suggest that intellectual humility

requires seeking out situations that would challenge those limitations or give you reason to correct or modify them. This illustrates that there is a motivational aspect to intellectual humility to seek out correction.

Seeking out challenging experiences captures something important about how intellectual humility operates in relation to one's belief. Intellectual humility often has the image of "ratcheting down" one's confidence like one would fine-tune a radio: to get proper signal one has to adjust the knob carefully in order for the signal to come in, so one must finely "dial down" how strongly one holds a position to the appropriate confidence. But adjusting our beliefs are never as direct as that: unless one is a proponent of fairly strong kind of doxastic voluntarism, one's beliefs are not so under our control that we can directly adjust them. But even if direct voluntarism is not true, it is nevertheless true that one can indirectly alter one's beliefs by placing oneself in certain places, exposing oneself to certain sources, and so on. Catherine Elgin (2010) shows sensitivity to this issue when it comes to responding to disagreement: on her view the epistemic implications of disagreements are less about directly changing or modifying one's beliefs in response to disagreement—in the way that conciliationism suggests—so much as "positioning" ourselves into a situation or orientation where additional insight might be discovered. So intellectual humility may be more about a willingness to listen to someone's viewpoint, to seek out different perspective that may reveal deficiencies in one's own view.

Epistemic Friction

But what kind of situation does intellectual humility require us to seek out? Here I think it is beneficial to draw on the work of another contemporary developer of intellectual humility, José Medina. Like Whitcomb et al. (2017), José Medina (2013) takes a variation of the

limitations-awareness account of intellectual humility, that to be intellectually humble is the virtue of being appropriately attentive to one's cognitive limitations and deficits (p. 43). When cultivated properly, he thinks this virtue can yield many epistemic benefits to a person, like making them self-reflective and self-questioning without become pathologically self-denigrating. But he connects this virtue to exposure to what he calls epistemic friction, moments and experiences of tension whereby one's beliefs and practices are challenged or meet pushback or resistance. While many epistemologies prize achievement of consensus as the epistemic ideal, Medina notes that moments of contestation between diverse perspectives can provide significant information about the views in the discussion. Situations with epistemic friction provides one with the opportunity to be self-critical about one's beliefs, to reflect on whether one's beliefs meet justificatory standards, to contrast one's understanding with an alternative approach and so forth (p. 50).

The notion of friction or conflict as something epistemically valuable is not an unprecedented idea in the history of philosophy. Immanuel Kant (2007) articulated the notion of epistemic friction in his criticism of Plato in *Critique of Pure Reason*. In leaving the world of the senses, Plato found himself in the noumenal "meeting no resistance that might, as it were, serve as a support upon which he could take a stand....and so set his understanding in motion (p. 47). J. S. Mill (1998) famously defended of robust free speech rights for minority positions because it introduced a kind of epistemic friction that was valuable for society: to allow space to demonstrate whether those views were right (and thus worthy of adoption) or wrong and thus worthy of public criticism and refutation. The idea here is that epistemic friction provides one with a sort of "sparring" partner who is adept at identifying the weaknesses of one's position.

Even outside the realm of academic philosophy, Supreme Court Justice Ruth Bader Ginsburg famously champions her late colleague Antonin Scalia as being just such a sparring partner for her, not in spite of their ideological opposition, but because of it:

whenever I wrote for the Court and received a Scalia dissent, the majority opinion ultimately released improved on my initial circulation. Justice Scalia homed in on the soft spots, and gave me just the stimulation I needed to strengthen the Court's decision. (Ginsburg, 2016, p. 96)

Failing to have these kinds of resistance in one's epistemic life can result in bad epistemic habits: cognitive laziness, overly charitable interpretation of one's and overly critical interpretations of one's opponents. Over time these habits can perpetuate themselves by making a person who has them even less attentive and charitable to the perspective of others.

While epistemic friction can have these instrumental, ameliorative effects, Medina's (2013) notion of epistemic friction means more than only the presence of alternative voices that challenge one's view. After all, one could utilize extreme racists as challengers for one's beliefs about race, or flat-earthers to challenge one's beliefs about the shape of the earth. Such challenges, though, are not the epistemically productive kinds of contestation Medina has in mind, as they are not likely to yield very many epistemic benefits. But even separate from their ameliorative effects of correcting viewpoints, epistemic frictions can also serve a more intrinsic function of preserving and energizing forms of resistance (p. 24).

There are two important points to raise about Medina's notion of epistemic friction and its contribution to an understanding of intellectual humility. First, notion of epistemic friction points out the need to have actual resistance and pushback from other perspective is critical. It illustrates the paucity of other, less-direct confrontations. Nathan Ballantyne (2013) argues that the possibility of a famous dead philosopher who, if alive, would point out issues that one has

not even thought of, should motivate a form of intellectual humility. But this rather ghostly⁵ approach only tells us that there is likely something incorrect in our beliefs that we are not currently aware of; it does not really provide any positive resistance to work against. Second, Medina defends the claim that these virtues (and their mirror-image vice) are not even distributed among members of society. On his account, privileged subjects like upper-middle class white men are less likely to engage with epistemic friction in their everyday lives, largely because historically doing so has not been essential to their survival. People in more oppressed groups—women, racial minorities, and so on—are often more likely to have a kind of double consciousness, an attunement not only to how they are perceiving a situation, but also how other people are perceiving them and the situation. This is not some immutably characteristic of members of either group: members of historically privileged groups are capable of grasping and learning to be attentive to see a situation from a different perspective than their own—he cites the character of Atticus Finch in *To Kill a Mockingbird* as an example of a white man who has developed the ability to perceive the world from the perspective of a black person in a racist society (Medina, 2013, p. 77).

How should one respond to moments of epistemic friction? Medina argues that there are two regulative principles governing responses to places of epistemic friction: the first is acknowledgement and engagement, while the second is equilibrium. The principle of acknowledgement and engagement suggests that other perspectives that one is confronted with needs to be recognized as having at least some *prima facie* validity and credibility, rather than

⁵I owe this objection to Helen de Cruz. This is not to say that philosophers of different eras (and traditions) cannot be useful sources of epistemic friction, but rather that merely considering the possibility of this friction is not as helpful. A better suggestion would be to rely on active historians of said philosophy (or practitioners in other traditions) who could actualize the kinds of possible criticisms postulated by Ballantyne.

dismissed out of hand (Medina, 2013, p. 70). This is not to say that all perspective should be given equal weight or consideration. The flat-earther perspective is a reasonably clear example where that *prima facie* validity may not obtain. The principle of equilibrium suggests that navigating competing perspective requires balancing them.

Intellectual Humility in Political Disagreement

Let me consolidate this account of intellectual humility and then draw attention to how it operates as a response to van Wietmarschen's (2013) account of modesty. On my account, intellectual humility is about positioning oneself to encounter different perspectives and viewpoints that may reveal inadequacies in one's own point of view. As this thesis relates to van Wietmarschen, it is important to note that performing this reorientation does not require substantially reduced confidence in one's viewpoint. I think it requires only considering the possibility that one has made an error. In some sense, though, the possibility of error is omnipresent and likely an ineliminable part of our thinking: "For all I know I could be making a mistake" could be truly said of almost every speaker, even after a thorough search reveals no reason to think she actually is in error. For an intellectually humble orientation towards a particular viewpoint to be warranted, there needs to be more than a simple weak concession of general fallibilism. This stronger possibility of error can come to us from several different avenues. Following along the lines of William James (1977), we might think that certain views or hypotheses are "live options," that they are plausible or could provide some valuable insight, even if we do not think they are ultimately correct (p. 717).⁶ Coming upon a previously unknown

⁶James takes this to be a subjective sense of "live option," where the liveness of a hypothesis is how plausible it seems to a given individual. The subjectivity here means that what is a live option for one person may be dead for another. Robert Talisse notes that we can also understand live option in a more objective sense of it

“live option” that seems to have some plausibility could motivate a reorientation towards that hypothesis. A reorientation could also be motivated by another person, someone who we judge to be a sincere, competent, and well-informed in a given domain, even if they hold views you disagree with deeply. When we encounter such a reasonable and intelligent person, it seems appropriate to open up the channels of inquiry and debate with them, if they are not open already. What intellectual humility requires here is not being skeptical about one’s own view but about openness to, in the words of Robert Talisse (2009), “engaging across those deep differences” (p. 150).

Importantly there are some qualifications to my account. What I have said above does not require that one has to be intellectually receptive to all viewpoints equally or grant *prima facie* validity to every perspective one encounters in the political domain. There are a couple of reasons for this. First, given the constraints on one’s limited time and resources, one cannot be expected to be receptive to every perspective one comes across. These limitations mean that one has to be selective about which viewpoints to orient oneself toward. A failure to orient oneself to a particular perspective is thus not necessarily dogmatic or close-minded. Secondly, one might have justification for thinking that the proponent of a particular viewpoint is not worth considering. If one has reason to think that a potential interlocutor is not being sincere or forthright in their position, or manipulate others, then it seems that one is not under any obligation to give them the sort of fair hearing that one might normally afford them. For instance, alt-right white nationalist Richard Spencer has been open about his insincere about freedom of

being “understandable how another rational person doing his epistemic best may believe” a given hypothesis (Talisse, 2009, p. 146n13).

expression, that he only champions it as a thinly veiled guise to leverage support for his ethnonationalist utopia. In light of his insincerity, I do not think intellectual humility requires being receptive to a clearly disingenuous viewpoint. My view is not necessarily committed to a hardline stance on the no-platforming controversy generally,⁷ but in cases where outright manipulation is the real motivation, at the very least one is not obligated to be receptive to them.

Intellectual Humility and Adversariality

Finally, given this account of intellectual humility allows us to also make sense of another prominent feature of political disagreement, namely adversariality. It would be not be controversial to say that political disagreements in today's social environment suffer from a vice of excess adversariality. Indeed, a well-worn theme of many newspaper columnists decrying the polarization in society, the unwillingness to listen to the other side, and so on. The account of intellectual humility I will argue for has the advantage that it is consistent with an appropriately moderate account of adversariality. On the surface, intellectual humility and adversariality may seem, if not mutually exclusive, at least to be in tension with one another: to be adversarial about some issue seems to preclude having any substantial amount of intellectual humility about that subject matter.

In argumentation theory there is a question of how much adversariality is woven into the fabric of arguments themselves. Certainly, our everyday encounters with arguments seems inherently conflictual. That political disagreements in particular are so often accompanied by shouting, elevated emotions, and name-calling seems to suggest that they are inherently conflictual. Even when those features are not present, though, the language we use to describe

⁷See Fantl, 2018, esp. chapters 5 and 6.

argumentation is suggestive of such an agonistic, militarized struggle: a successful argument is on that “defends its position from attacks” or “levels devastating objections at another viewpoint.” Janice Moulton (1983) has argued that philosophy itself has been ensnared by this “Adversarial Paradigm” that sees the ability to successfully perform these defensive or offensive maneuvers that seems constitutive of philosophical competence. Trudy Govier (1999) has argued, though, that these combative features of arguments are only “ancillary adversariality” that are not essentially tied to argumentation itself. Nevertheless, Govier argues that even if one is good-natured, sincere, and well-meaning in argumentation, there remains a “minimal adversariality” in argumentation that inherently involves challenges to the stances that a person takes. If Jane holds a belief P, she has to think that Jack, who holds the logically contrary belief not-P, is in some sense mistaken or missing some crucial part of the truth that he would get if he held P. Govier thinks that there is something healthy and productive in Jane and Jack exploring their disagreement through argumentation: they can provide reasons for their respective position, draw out for examination implicit premises that are being used, identify weaknesses in an argument as well as ways to correct them. This minimal adversariality can be the location of rationally persuading others to adopt our position, not by coercion, but with what Jürgen Habermas calls the “unforced force of the better argument” (Habermas, 1996, p. 306).

How is adversariality related to intellectual humility? First, the intellectually humble person is the object of adversariality. Insofar as intellectual humility involves seeking exposure to at least some instances of epistemic friction, there has to be resistance pushing back on some aspect of the person’s epistemic life: her beliefs, her appraisals, her practices and habits, her reliance on certain sources, etc. The epistemically productive gains of these experiences cannot

be produced without some kind of adversariality involved in them. But can an intellectually humble person be adversarial themselves? Some of the founding figures of philosophy suggest that being humble and adversarial are quite compatible. Ian Kidd (2016) takes Socrates' interrogations of his dialogical partners as a kind of "confidence-calibration" where his questions would reveal their confident and cocksure answers to be empty and incoherent and move them more towards a humble, skeptical attitude (p. 398). Effectively Socrates used an adversarial means to accomplish a humble end that they did not know what they thought they knew. But intellectual humility can also encourage others to not be too demure and deferential. Confucius as encouraging disciples to not simply be passive receptacles from their teachers, but to argue and critically examine them. A good disciple is "critical, but always affable" (p. 399). Of course, Kidd acknowledges the point that Moulton raised: that the use of adversarial methods can often be destructive and harmful when used in an aggressive manner, in a way that leaves epistemic agents anxious, humiliated, and crushed (p. 400). The way to counteract adversariality's propensity to epistemic harm is to make sure that it is used with the overarching aim of edifying epistemic agents, in a way that helps them to manage their own confidence virtuously. Virtuous argumentation can therefore allow us to achieve the epistemic goods that come from arguments without its pitfalls.

An Objection: The Harms to Members of Vulnerable Communities

One might worry that a requirement of intellectual humility creates a kind of epistemic harm or injustice on say minority groups who are then obligated to be open to the viewpoint of others, especially those who have significantly more political, social, and economic power that can be exerted over them. That is a genuine concern that an account of intellectual humility,

should take measures to avoid. A real-world example would be helpful in elaborating this point. Derek Black was a rising star in the Neo-Nazi community, with family running the white supremacist website *The Daily Stormer*. When he went to college, though, one of his fellow students, Matthew Stevenson, started inviting Black over for Shabbat dinners, where they would have discussions. Over time Stevenson being generous and open towards Black created what Thi Nguyen (2018) calls an “epistemic reboot” that caused him to completely reject his white supremacist belief system and become a proud anti-Nazi spokesperson.

It is certainly true that Stevenson’s humility and openness to Black was instrumental in him achieving this dramatic epistemic shift, and his story is certainly admirable and laudatory. Yet clearly his decision to open himself up to have intimate, vulnerable conversations with an avowed neo-Nazi should be seen as supererogatory, not obligatory: he certainly would not have been blameworthy—epistemically or morally—if he failed to go to these lengths to reach Black. Does this undermine my claim about intellectual humility? I do not think so. Even if we see intellectual humility as a requirement, it might still be one that is defeasible one. For a Jewish person to have intimate conversations with a neo-Nazi is making himself vulnerable to substantial bodily and psychological harm. To decline subjecting oneself to that kind of risk is entirely reasonable.

Marilie Coetsee’s (2018) discussion of moral obligation to deliberate with the illiberal is relevant here. She helpfully distinguishes between fair and unfair-minded illiberals. In the latter case, the unfair-minded illiberal is not genuinely interested in deliberation or discussion, but only the goal of subjecting others to their vision of the good life. Here we might imagine the religious fundamentalist converting a village to their ideology under threat of beheading. With regard to

this kind of person who evinces no regard for fairness or terms of mutual cooperation, Coetsee argues that any moral obligation to deliberate with them is at the very least plausibly defeated, such that one is not required to do so.⁸ But Coetsee points out that not all people who hold illiberal views fit this unfair-minded model. She discusses the case of Seyyid Qutb, founder of the Muslim Brotherhood. Though he certainly has illiberal views on religious liberty and the autonomy of women that put him at odds with many of the fundamental tents of liberal, egalitarian democracy, a closer inspection shows that his antipathy toward many Western style liberal and democratic policies is that they too often sacrifice the poor and the marginalized for purely materialist ends. By contrast, he thinks that Sharia-style laws and regulations allows people to see others in a less materialist manner, in ways that better facilitate human flourishing (pp. 12-13). Qutb might be incorrect or unjustified on many of these claims, but his illiberal views seems to be motivated by the concept of fairness—albeit a very different conception of it. Coetsee argues those committed to political liberalism are still required to provide fair-minded illiberals like Qutb with reasons for policies that they could reasonably accept, ones that do not presuppose broad agreement on liberal values (p. 5).

I think we can say that intellectual humility is a defeasible requirement in much the same way that Coetsee does about a moral requirement of deliberation. One modification I would make to her proposal, however, is that I think that this requirement is defeasible not only on the fair-mindedness of the interlocutors but also on the potential vulnerability to harm that some of them might face. While the fair-minded/unfair-minded distinction is an important one to keep in

⁸One might even question if this is even an instance of a political disagreement, instead of simply a show of force and coercion.

mind, in practice it can be difficult to distinguish the two in a particular case: is this illiberal person actually motivated by the concept of fairness or are they simply using it as a veil to manipulate and harm others? Members of groups who face great risk by said engagement with say a neo-Nazi or an ISIS member—e.g., racial minorities, women, immigrants, members of the LGBT community, and so on—should not be required. A possible corollary to this is that those who do not face the same level of risk as those in these vulnerable groups may have this requirement fall more squarely on them than it does on members of more vulnerable individuals.

Conclusion

Following Kidd's (2016) suggestion, I think we have reason to say that argumentation in the political domain is certainly compatible with intellectual humility. This discussion of intellectual humility and adversariality is that there is a wide berth from which people can coherently engage in liberal political institutions without having to abandon their contentious beliefs.

This possibility undermines the skeptical problem that van Wietmarschen (2018) presents for political liberalism. To be humble about one's own positions does not require becoming skeptical about them—as van Wietmarschen suggests—but rather that one be open, at least in certain circumstances, to the possibility that people who see things differently are nonetheless reasonable and may have something valuable to contribute that one's current position lacks. Furthermore, there is nothing incoherent in making this more moderate form of intellectual humility a normative requirement of reasonable citizenship—or least a normative goal that collective we should strive towards.

Belief-Responses and Public Reason

We can now look at the issue of disagreement as it relates to the content of our political beliefs themselves. In order to fulfill the epistemic requirements of political liberalism, is one required to substantially modify one's contentious beliefs, i.e., beliefs over which one knows reasonable people disagree? Recall that from van Wietmarschen's (2018) perspective, one has only two options regarding these sectarian beliefs—one can either say that one has no peer with regard to that belief, or one must view them as unjustified. It is rather implausible to think that one has no peer, no one who is equally knowledgeable and well-informed, on most issues of political disagreement. These questions revolve around the concept of public reason, what kind of justifications we can provide in deliberations for the positions and policies that we support? As a helpful reminder of orientation, the clash between the requirements of citizenship and people's beliefs operates here as well. From van Wietmarschen's perspective, the requirements of citizenship put significant pressure on a person to radically alter their beliefs that do not meet those requirements or at least to view them as unjustified. This concern about the epistemic requirements of citizenship reflects a larger epistemic (though also moral) criticism of public reason liberalism, especially the kinds developed by John Rawls and his followers. But the development of more converging accounts of public reason beyond the Rawlsian paradigm (especially, as we shall see, in its exclusivist understanding) demonstrate that this kind of worry is not as problematic as it might have seemed.

Rawls' View of Public Reason

One prominent view of public reason, developed from a position staked out in John Rawls' (2005) early iterations of his work that became *Political Liberalism*, suggests that one's

comprehensive beliefs—the particular moral, philosophical, and religious beliefs that order the entirety of one’s life—could not be used in public discourse over what policies to adopt. Rawls’ reasoning for this claim is that political power could only be legitimate if it was justified on the basis of reasons that every reasonable person could accept—or, the opposite direction, reasons that no one could reasonably reject (p. 137). Since there are many competing religious, ethical, and metaphysical beliefs in a liberal society, “there is no comprehensive doctrine that could serve the basis of social unity” (p. 134). It is the maelstrom of conflicting perspectives and viewpoints that Rawls is aiming to avoid in the first place. Instead of these private reasons, though, Rawls posits that there are public reasons that could serve as a legitimate basis for justifying an exercise of political power, principles that all free and equal people, regardless of what comprehensive viewpoints they happen to have, could not reasonably reject (p. 441). What justified public reasons, he thought, is that they were free-standing, that they do not rely on any particular comprehensive viewpoint for their justification. According to Rawls, if these reasons were reliant on one particular comprehensive claims, then only those who bought into those underlying claims could find the reason acceptable. This kind of consensus Rawls envisions will be political, not metaphysical.

Epistemic Critiques of Rawlsian Public Reason

The most obvious problem with Rawls’ position is that there are very few things that would generate the kind of consensus among a diverse society. Even Rawls (2005) came to see that this earlier, more exclusionary understanding of public reason as too restrictive. He instead allowed that reasonable comprehensive doctrines could be presented as reasons for adopting a given policy, so long as they are accompanied by some political reasons sufficient to justify that

policy (pp. xlix; 247). This more inclusive understanding allowed for different viewpoints to produce an overlapping consensus that all agreed on certain policies, albeit using different comprehensive beliefs.

Nevertheless, even this more expansive, accompanying view of comprehensive reasons is not without its critics. While many responses to Rawls have critiqued his position on moral grounds, I want to focus my attention on his epistemological critics. Nicholas Wolterstorff (1997) says that Rawls' account is based on a "chastened epistemology" (p. 91) that requires people to remove themselves from their comprehensive viewpoints and reason about political matters by the light of this "political not metaphysical" reason. Wolterstorff thinks this kind of requirement is an unreasonably demanding standard for Rawls' own principles to meet, much less on political matters more broadly:

there is no more hope that reasonable and rational citizens will come to agreement, in the way Rawls recommends, on principles of justice, than that they will come to agreement, in the foreseeable future, on some comprehensive philosophical or religious doctrine. (p. 99)

David Enoch (2017) also argues that the Rawlsian is committed to highly controversial epistemological theses like permissivism—that a body of evidence can warrant more than one rational attitude—that are deeply disputed among epistemologists. These contested epistemological commitments should be classified as comprehensive views that on the Rawlsian grounds either cannot be used in public reason or would need additional public justification.

If the above considerations are correct, then trying to achieve public justification is an incoherent and hopeless pursuit. One response might be to argue that the distinction between comprehensive and political domains is one of scope. Rawls (2005) clarifies that a comprehensive view is one that claims to be an all-encompassing account

of what is of value in human life, and ideals of personal character, as well as ideals of familial and associational relationships, and much else that is to inform our conduct, and in the limit to our life as a whole. (p. 13)

Though many religious and moral viewpoints may make claims to being all-encompassing, their being religious or moral does not automatically make it so. Rawls even claims that most people do not view their own religious, philosophical and moral doctrines as so general (p. 160). The political domain, by contrast, is much narrower in scope.

But the Rawlsian cannot escape so easily by distinguishing the public and the private. Gerald Gaus (1996) questions the epistemological foundation of this Rawlsian public reason enterprise. Public reason is, on Gaus' view, the core of liberalism, "political liberals do not really abjure epistemic commitments" but rather "rest their case on a vague, but nevertheless clearly erroneous, normative theory of justification" (p. 4). In a similar vein, Fred D'Agostino (1992) argues that justificatory liberalism is not a viable project because it tries to settle epistemological claims about political issues as though they are not already political: "The project of public justification therefore cannot be beyond or prior to politics itself. It is not a metapolitical project, as some have wishfully thought; it is, rather, itself a part of properly political argumentation" (p. 158).

But even if Rawls distinction between comprehensive and political avoids some of those immediate problems, it still does not avoid the problem that reasonable disagreement is just as present in the political domain as it is in the comprehensive. Gaus introduces several different kinds of beliefs to help deal with this pervasive disagreement. Drawing on the notion of defeat in epistemology, there are defeated and undefeated beliefs. Undefeated beliefs are ones that do not have a sufficient, knock-down reason to think that they are either unjustified or false. Secondly

there are victorious and unvictorious beliefs, where victorious beliefs have been able to accumulate rational consensus that they are true. Gaus (1996) thinks the vast majority of our beliefs that are relevant to political disagreements are of the undefeated, unvictorious variety: they do not have a defeater demonstrating them to be unwarranted, but neither have they achieved anything like a rational consensus (p. 151).

Another way of addressing this concern is to simply concede that Rawls' attempt to give a merely freestanding political account of liberalism that attempted to bracket out controversial theses is not the only available option. Aurelia Bardon argues that democratic procedures are best seen as themselves a compromise: though they are not freestanding in the way that meets the Rawlsian ideal, they are not subject to problematically controversial foundations. While the standard of having an uncontroversial political epistemology is perhaps impossibly high, following Jerry Gaus (1996, p. 9) a more plausible standard that still achieves the spirit of widespread acceptability and legitimacy is robustness, where a theory is robust if its justification is not weakened by the rejection of some other theory as unjustified. For instance, political liberalism would be robust with regard to a variety of metaethical positions—say the varieties of moral realism and emotivism—if its justification was not undermined by any of those positions being true.

Public Justification: Consensus, Convergence, or Accessibility

What kind of reasons are necessary for public justification here? A common understanding is that justifications need to consist of shared reasons, that is, reasons that all reasonable persons would share as acceptable or justified. For respectful and sincere engagement on political matters where others disagree, citizens must “retreat to a neutral ground” (Larmore

1996, p. 135), and offer reasons based on beliefs that are shared between them. Leland and van Wietmarschen (2012) seem to be using this kind of shared concept of public reason when they endorse that even complicated scientific findings that are uncontroversial among experts can still count as public reasons because they can (in theory at least) enjoy a consensus among fully informed citizens (p. 741). That is not exactly clear, as many the details necessary to grasp the meaning of the evidence related to climate change is opaque to all but the most informed scientists. Whether someone can truly “share” reasons that are opaque to them is not clear to me. But even if we granted that this expansion of shareability was plausible, once we move from the consensus about the bare reality of climate change into any more specificity about it—how fast it is changing, where it moving quickest, doing the most damage, what methods are most suitable for combatting it—that consensus fractures even among the scientists themselves. If we set ourselves the standard of consensus, we will quickly be frustrated by our failure to meet it.

Another way of describing the problem with this shared, consensus account of public reason is that there seems to be no such reasons that are shared by all reasonable people. Following Gaus (2011), we might call this the problem of reasonable disagreement or evaluative diversity. An alternative to this shared standard is to adopt a weaker standard known as intelligibility, where a reason is intelligible “if all suitably idealized members of the public can see as a reason for the person who offers it according to that person's own evaluative standards” (Vallier, 2016). On this account a reason for a political attitude is justified so long as it is acceptable to the person and all reasonable people can see how that attitude meets that persons’ own evaluative standard, even if other people reject that attitude as irrational, prejudiced, or otherwise unjustified. He makes clear that the recognition of a given justification as a reason for

a given policy is crucial for it to count as intelligible: a reason “cannot be in any sense if members of the public cannot see it as a reason for anyone from their respective points of view” (Vallier, 2015, p. 107). The intelligibility account seems to answer the problem of evaluative diversity because a reasonable person could find a justification intelligible even if she does not share it herself. It also does not require commitment to a kind of deliberative restraint that prevents people from presenting reasons particular to them. It is important to note that Vallier takes intelligibility to be the standard only for the political actions of ordinary citizens. When it comes to legislators or those in official positions to propose, amend, enact, or repeal legislation, rules and other such coercive policies, they are restrained in what they can do in ways that ordinary citizens are not (pp. 190-191).

The issue with the intelligibility standard is that it seems to grant too much. It is intelligible why John Calvin wanted Michael Servetus to be burned at the stake for his heretical beliefs (Rawls, 2005, p. xlix), or how Scott Roeder’s strident anti-abortion activism led him to think that killing abortion provider Dr. George Tiller was a justifiable action, but that does not necessarily justify these actions taken. It seems that intelligible reasons may explain or make sense of why a person holds a political attitude or takes some political action, but they do not necessarily justify in showing that they are warranted in holding those positions. Robert Audi (2018) presses this point that Vallier’s intelligibility standard seems to be not just pluralistic but overly subjectivist or even relativist (p. 124).⁹ The way between the over-exclusive standard of

⁹Vallier’s preferred way out of this objection is to adopt a moderate kind of idealization that abstracts away from that abstracts away simple errors, informational deficits, and other cognitive shortcomings. Importantly, though, since the constraint on this idealization is that the idealized reasoner’s beliefs should remain recognizable to the real reasoner as their own, Vallier’s method only abstracts from rather peripheral beliefs. This leads to a problem though, as it seems that a Vallierian account of intelligibility would give legitimacy to conspiracy theorists in the sense that public policies would have to accommodate their conspiracy theorists’s beliefs that are intelligible to

shareability and the under-exclusive standard of intelligibility is what Vallier (2015) calls “accessibility.”¹⁰ On this notion, a person is regarded as epistemically justified in holding a reason for some belief she has if there is no discernible gross epistemic error in affirming that reason (p. 110). Here we might take an egregious epistemic error to be something like mistaking a necessary for a sufficient condition or failing altogether to consider a presented counterexample to one’s belief (Badano & Bonotti, 2019, p. 38). Here evaluative standards are “norms that are the basis by which members of the public can epistemically evaluate any reasons that are being proposed by other citizens” (p. 37). Evaluative standards contrast with reasons themselves because they operate at a higher level of abstraction. Accessibility allows differences of prioritization among different values or priorities to count as part of public reason: a moderate liberal and libertarian might agree on the values of collective well-being and personal autonomy, but they nevertheless disagree on how those two values should be balanced or prioritized. The reasons the liberal prioritizing well-being but the libertarian emphasizing personal autonomy is still accessible public reason for both of them.

Whether accessibility or intelligibility is ultimately the satisfactory account of public reason is a complicated matter, and I do not think we need to adjudicate that dispute fully to address the issue at hand in this chapter. The issue is to show that van Wietmarschen overstates the stringency of political liberalism’s epistemic demands.

them. Even more, as a certain conspiracy theorist group gains more followers, it seems to gain even more legitimacy.

¹⁰Though Vallier (2015) is a defender of the intelligibility standard, he is credited with developing the distinction of accessibility as distinct from shareability or intelligibility (p. 104).

Conclusion

In this chapter I have surveyed how one might respond to political disagreements in ways do not necessarily require broadscale revision or scepticism about our beliefs. The compatibility of these responses with the epistemic requirements necessary for liberalism to function thereby undercuts van Wietmarschen's (2018) claim that liberalism makes incoherent or unreasonable epistemic demands on its citizens. In arguing that political liberalism is consistent with a more lenient epistemic standards—one need only be more humble about one's beliefs and offer justifications that are accessible to others—there is a worry that I am taking a more conservative, perhaps complacent stance toward our political beliefs than many of them deserve. It is certainly true that many of our political beliefs are seriously defective and stand in need of significant revision, or at least us being more skeptical about them, and I do not think what I have argued in this chapter is inconsistent with this claim. To be more epistemically humble about our political beliefs and to seek converging reasons for our policy preferences is a standard that many would still not meet.

I think there is a broader concern about van Wietmarschen's (2018) perspective that bears reflection. Disagreements runs through many, if not every, topic that is worth consideration. Suggesting that we should attempt to hash out all of these disputes seems neither possible, nor even desirable. As a result we have to do what Cass Sunstein (2018) calls an economizing on moral disagreement (p. 123), determining which disagreements are productive and necessary to work out, and which ones are either not productive or not necessary. On Sunstein's view these kinds of disagreements can be navigated by making incompletely theorized arguments, where individuals may agree with a general principle but disagree on the particulars, say how that

principle is interpreted or implemented in a given case. People may agree with freedom of speech as a general abstract principle, even if they disagree on whether it protects hate speech (or whether a given utterance classifies as hate speech). Equally in the other direction, there can be convergence about what should happen on particular cases that arrive from conflicting perspectives. This brings to mind the remark Catholic philosopher Jacques Maritain (1951) recalled during the drafting of the Universal Declaration of Human Rights "...we agree on these rights, provided we are not asked why" (p. 77). To "make it possible to obtain agreement where agreement is necessary, and to make it unnecessary to obtain agreement where agreement is impossible" (Sunstein, 2018, p. 8). By not seeking out comprehensive agreements at every level, therefore, incompletely theorized arguments allow for people of diverging worldviews to nevertheless come to agree when it is necessary that they do so. One way to strike this tenuous balance is for legal rulings to be "trimmed" or finely tailored to the case in hand, not given broad abstract principles that apply to a wide array of circumstances. Where agreement is necessary, incompletely theorized arguments we should try to make it possible; where agreement is impossible, we should strive to make it unnecessary. The trick to all of this though, channeling the Serenity Prayer, is that we also have to have the wisdom to know the difference. My political justificationist account is an attempt to tease out how to make necessary agreement possible and impossible agreement unnecessary.

CHAPTER FIVE

A REMEDIAL SITUATION: EPISTEMOLOGY OF DISAGREEMENT IN THE CONTEXT OF AMERICAN POLITICS

In the preceding chapters, I have detailed the problem with one popular kind of epistemology of political disagreement demonstrated that political justificationism is a viable approach to epistemological issues surrounding political disagreements. One might be inclined to think that the above discussion only works as abstract, ideal-world theorizing about how to respond to political disagreements, that is of little use to address real-world disagreements. After all, very few people respond to political disagreements in reasonable manners, so why think they would follow the suggestions in this case? This is a very significant problem that needs to be overcome if epistemology of disagreement is to be relevant to the issues of real-world political disputes. Part of the issue with epistemology of disagreement is that much of its constituent part remain highly abstract and idealized, with the thought that disagreements that fail to meet those idealized conditions are theoretically less interesting. I want to suggest, though, that bringing those concepts more down to earth might be not only more useful but also theoretically interesting in its own right. In this final chapter, I will sketch out how we can we set our sights on epistemic ideals that are attainable even in our non-idealized epistemic environment as well as reconceptualizing a more realistic account of epistemic peerhood. Though I think these themes are relevant to other political contexts as well, in this chapter I want to focus on these issues as they relate to the epistemic situation of American politics.

Any attempted discussion of political disagreement has to start with a frank acknowledgment that many citizens are significantly ignorant and deeply irrational about most political topics (Huemer, 2016; Somin, 2016). These are not temporary properties of people's political beliefs or one that is easily explicable merely in terms of people simply miscalculating or having different background beliefs. In at least a narrow sense, the kind of ignorance about political matters we observe is rational, as the costs of correcting false or badly formed political beliefs are often much higher than any potential benefits they might have. This vantage point paints a bleak picture for the possibility of improvement of this epistemic situation, as the persistent amount of political ignorance and irrationality leaves us "little chance of solving most social problems and a good chance of causing or exacerbating them" (Huemer, 2016, p. 468).

Many people long for a substantially improved epistemic situation in the American political context, where disagreements can be conducted reasonably and rationally, individuals would be more responsive to evidence and reasoning, and would rely on reputable sources instead of hucksters and charlatans on cable news and talk radio. It seems that one might have better odds wishing for a unicorn. It seems fair to say we are in a kind of epistemically remedial situation, and much like it would be unrealistic to expect a failing student to suddenly develop complete mastery of a subject, so it is probably hopelessly idealistic to expect American citizens to become epistemically ideal agents who engaged with political issues in perfectly epistemically rational and responsible ways. Many who survey the poor epistemic state are skeptical that anything can be done to substantially address it, that politics should be construed as a noncognitive enterprise, where people are forming their political opinions from partisan

loyalties, motivated reasoning, and emotionally-charged rhetoric rather than rational deliberation and careful consideration of the evidence (Achen & Bartels, 2017).

This pessimistic evaluation of our current epistemic state of American democracy is so concerning in part because adequately dealing with disagreements is a central part of any democratic society. Elizabeth Anderson (2006) reminds us that the democracies are epistemically preferable forms of government and collective decision-making because they transmit asymmetrically distributed information about the ideas and attitudes to which others might not have had other access. On Anderson's view, what makes democracy so powerful is not that it gets everyone to agree in the end, but that its institutions allow sufficient space for dissent, pooling widely distributed information about matters of the public interest, and ensuring effective feedback and accountability from a diverse population (p. 8). Anderson represents the more optimistic perspective of the epistemic prospects of democracy, and from this perspective we can get some possible diagnoses for why American democracy fails to meet its full potential in these respects. American democracy's remedial epistemic state is at least partially explicable in terms of not being. For example, the number of checks and balances in the American system make it difficult to determine which political leader is responsible for a given situation. If a President presides over a bad economy with persistently high unemployment, it might be due to bad policies or feckless leadership on his part, or it might be due to an intransigent legislature that refuses to pass appropriate legislation or an activist judiciary that consistently overrules even reasonable policies that Congress and the President have passed. Knowing, or even having a justified belief, about which of these actors is responsible for a given situation is not straightforward on its own. Additional layers of partisan spin and conflicting interpretations of

the same information even further exacerbate the epistemic problems here. While these factors certainly do not explain all the irrationalities at play in our political attitudes, a fair analysis of them would have to acknowledge the difficulties about the environment in which they are operating.

It seems reasonable to think that our epistemic situation will not improve without substantially altering some of these institutional and structural barriers. Yet some recent empirical data that provides grounds for some cautious optimism on the possibility of making our epistemic situation a bit better when it comes to political disagreement. I want to present a deliberative polling experiment that suggests the opposite, that our epistemic prospects might not be as dim as they seem. From this experiment, I think we can tentatively draw some conclusions from these results about what realistic kinds of epistemic ideals might be attainable.

Deliberative Polling and “America in One Room”

Deliberation is one collection of ways to deal with disagreement that has received extensive discussion in the political science literature, where citizens discuss the reasons for their perspectives on political issues. Deliberative procedures are commonly used in countries around the world for a diverse set of purposes, from exploring the diverse perspectives of the citizenry on a given issue, facilitating citizens’ preference formation, making a recommendation to the larger society, and setting the legislative agenda (Chappell, 2012).

One might question the relevance of deliberative experiments for looking at the American political context. After all, while many countries in Europe have extensively incorporated deliberation into their political system, ambitious deliberative projects like this have never been tried in the United States. Even if they were, though, what reason is there to think that they

would be in any way effective? Yet the recent deliberative experiments have given reason to be optimistic about a similar project of large-scale deliberative projects in the United States. James Fishkin and Larry Diamond (2019) have implemented the “America in One Room” project as an attempt to get Americans to discuss significant political questions with each other. They recruited a sample of 523 registered U.S. voters across the political spectrum to spend a weekend discussing a range of specific policy proposals on several hot button political topics—immigration, healthcare, the economy, the environment, and foreign policy. Before the weekend, each participant took a survey to determine their baseline attitudes on these issues and then placed in small groups to discuss them. Each participant was given a briefing booklet assembled and vetted by a range of policy experts across the political spectrum. The booklet’s discussion provided participants with arguments for and against each policy proposal under consideration. There were also plenary sessions where participants were able to ask questions to a bipartisan panel of experts on these topics. They would do several rounds of these activities, with the small group discussions groups determining what questions should be asked of the expert panels, what they thought after the panels had spoken, and so on. At the end of the weekend, the participants completed another anonymous survey to measure how their attitudes had shifted throughout the program.

The results showed substantial moderations on a number of these policies, with some of the more dramatic shifts coming from participants who identified as Republicans and conservatives. Among conservative and Republican participants, while 66% of them came to the event supported reducing the number of refugees into the United States, only 34% held that view at the end of the weekend. While 79% of conservatives began thinking all undocumented

immigrants should be deported, only 40% thought so at the end. On the environment, conservative support for carbon tax policies to address climate change increased from 34% to 52%. To be clear, conservatives and Republicans were not the only ones with substantial shifts in their attitudes: Democratic support for a \$15 minimum wage decreased from 83% to 59%, and their opposition to a universal basic income rose from 51% to 72%. Support for the Trans-Pacific Partnership trade agreement increased across the political spectrum from 47% overall to 74%. Even when they did not ultimately agree on the issues, many participants said they came to realize they were not as far apart from their ideological counterparts as they originally believed, and they had grown to understand better why other people would think differently on that issue (Badger & Quealy, 2020).

How should we interpret these results from an epistemological perspective? The results of the America in One Room provide an interesting case to examine the issue of epistemic democracy. One might be inclined to take these results as a sign in favor the deliberative democrats, who argue that deliberation has on balance a positive epistemic impact on participants, in the sense that it tends to lead people away toward more justified positions and away from more egregiously mistaken ones (Estlund & Landmore, 2018). We might be cautious about overly optimistic takes from this, however. In earlier work, Fishkin (2018) himself notes that we should not see opinion change as itself a criterion of deliberative success (p. 76). We should be careful not to interpret these moderations as themselves moving towards a more rational position, as though one is necessarily more likely to hit upon a true and more justified position by tacking to the moderate center. Such an interpretation runs the risk of committing a kind of fallacy of the middle ground, where the true or maximally justified position

is taken to always lie in the midway point between two disputant's positions (van Laar & Krabbe, 2018, p. 331). That being said, to the extent that individuals generally moved away from epistemically unjustified positions, we should see these procedures as having some net positive epistemic gains. Participants also showed some noteworthy knowledge gains too, with more of them correctly answering relevant factual questions like how many undocumented immigrants are in the country, which countries are in the Paris Agreement, and what the highest capital gains tax rate is, after having taken part in this deliberation.

Given how dramatic some of these shifts were, a natural question is how stable they are over time. Do these participants continue to hold their newly moderate attitude as they settle back into their normal polarized informational silos, their curated newsfeeds, and preferred cable news pundits, or do they revert back to their more extreme antecedent attitudes? This stability concern is an important question that Fishkin (2018) recognizes and is currently raising funds to track how these changes persist six and nine months after the deliberation (Fronstenson et al., 2019). In many ways, such a regression would not be unexpected, as the structures and institutions in which American citizens form their political attitudes make ignorance and polarization a much more natural stance for people to take. It is rather implausible to think that a single weekend would miraculously counter all of those prevalent forces. Fishkin's (2018) own recommendation to address this problem is to more fully integrate deliberative polling into the American political process so that it becomes a part of the American political culture as it is in many other countries (Ackerman & Fishkin, 2004).

The deliberative polling results do suggest, though, that the capacity to engage with politics reasonably is a potential within us that can be fostered and built upon, instead of a

hopelessly optimistic (Fishkin, 2018, p. 209). Evaluating the long-term effects of these changes is still in process, though some subsequent reporting in the summer of 2020 examined how these test participants planned on voting in the upcoming presidential election. Moderate and independent participants who were a part of the deliberation group supported candidate Biden by 25 points over incumbent President Trump, compared to just a seven-point lead among similar voters in the control group (Badger & Quealy, 2019). But the effects of the deliberation were not just felt among independents. One participant, Beverly Lucas a 73-year-old Texan Republican noted that though she ultimately voted for Trump because of abortion, she still noted the effects of these deliberative encounters. The perspectives she engaged with punctured her epistemic bubble, and showed her that she had lived an informationally sheltered life. To help mitigate that, she reported plans to move from her home in the affluent Dallas suburbs to a more diverse community in Cary, North Carolina. Many of the other participants interviewed in that follow-up piece spoke of how the deliberation proceedings made them consider the alternatives to their viewpoints, change their media habits from conservative Fox News shows to more mainline media sources like national papers and so on. Whether these changes manifest themselves systematically across these participants beyond these anecdotes remains to be seen, but there is at least some reason for cautious optimism here.

Realistic Epistemic Ideals: Empathetic Understanding

Epistemologists have spent a considerable amount of time outlining the ideals by which agents ought to conduct their epistemic lives. Some of these ideals discuss how an agent's beliefs should conform to the evidence available to her (Conee & Feldman, 2004). Others have focused on the ideals of what kind of epistemic virtues like open-mindedness and epistemic responsibility

an agent ought to cultivate (Zagzebski, 1996). In light of our poor epistemic situation discussed at the beginning of this chapter, though, it seems highly unlikely that large swathes of Americans will conform to these epistemic ideals in the context of political disagreements.¹ It seems like we need to facilitate more remedial epistemic ideals that might help bridge the gap between where we currently are and whatever epistemic ideal would be desirable to attain. Are there such epistemic ideals that are perhaps more realistically attainable for us to aim for? The “America in One Room” project suggests at least one epistemic ideal is perhaps more easily attainable than one might have expected given our situation: empathetic understanding. Building on empathetic understanding might lay the groundwork for further epistemic improvement.

During the summer of the 2020 Presidential campaign, a relative of mine expressed disbelief that so many polls showed Joe Biden substantially ahead of Donald Trump: “I can’t believe anyone would vote for Biden over Trump. These polls must be sampling looters and domestic terrorists!” Of course, it is possible that this post was not meant as an actual assertion that Biden support is substantially made up of criminal elements, but that it was an expressive form of partisan badmouthing (Hannon, forthcoming). But many of our attitudes about our political opponents are reasonably understood as asserting that one’s political opponents are incomprehensible—that no reasonable person could hold the things they seem to believe. Based on this incomprehension, we therefore claim that our opponents are either incredibly ignorant, diabolical, or both. This inability—or perhaps unwillingness—to understand the perspective of those with whom we disagree contributes greatly to the rancorous quality of so many political

¹This is not to deny the potential aspirational value of the mentioned ideals. The fact that they are unlikely to be realized does not, of course, mean that they are undesirable. See Estlund, 2009.

disagreements. By contrast, when we develop an ability to appreciate the nuanced positions of our ideological counterparts, we develop what Michael Hannon calls “empathetic understanding.” Drawing on the *verstehen* tradition of German social theorists like Max Weber and Wilhelm Dilthey, Hannon (2019) takes empathetic understanding to be the kind of understanding whereby one can grasp and appreciate the reasons supporting a belief or an action from the perspective of the person who holds it. We simulate how the other person might reason from their perspective and appreciate how they might come to the conclusions they do. Importantly engaging in this kind of understanding is possible even for those beliefs we ultimately reject. Cultivating empathetic understanding allows us to achieve moral goods like fostering mutual respect for our fellow citizens and reduces affective polarization where one perceives one’s political opponent with contempt and hatred: “We cannot have a reasonable conversation if we despise each other, refuse to listen, and are too overconfident in our own views” (p. 16). When viewing the other side with contempt it becomes difficult to see the possibility of common ground and otherwise reap the epistemic benefits that come from interacting with people from different perspectives: encounters with different perspectives provide a broader base of evidence and reasons to work with, points out the presence of bias and ignorance in one’s own viewpoints. It can also help us better engage in what John Rawls called “reasoning from conjecture,” where one tries to reason from what we believe are other people’s fundamental principles, in the attempt to show that they too can come to accept some political conception from within their own framework (Rawls, 2005, p. 466).²

²This is not to say that reasoning by conjecture is morally or epistemically unproblematic, as it might very well be an insincere, manipulative, or disrespectful form of argument. For a defense of conjecture from these kinds of objections, see Schwartzman, 2012.

Empathetic understanding not only facilitates us achieving epistemic goods; When we have an empathetic understanding toward someone, we are also likely to comport ourselves toward them in epistemic virtuous ways like being open-minded, charitable towards their beliefs. Of course, this is not to say that being open-minded and charitable are always virtuous attitudes. Being open-minded toward Holocaust denial or flat-earth cosmologies, for example, seems like epistemically vicious attitudes. Nevertheless, one might think that we are too quick to categorize those we disagree with as in the category as flat-earthers and Holocaust deniers.

How does empathetic understanding intersect with the issue epistemology of disagreement before us? Importantly, developing an empathetic understanding for another perspective does not require the rejection of one's own beliefs. One can come to achieve empathetic understanding of another person and appreciate why it might be reasonable for them hold the beliefs they do while still thinking they are importantly mistaken on that matter, that they are disregarding some key piece of evidence, and so on. What I want to suggest is that this notion of understanding might be a reasonable aim for certain disagreements, in particular for deep, intractable ones that typify so many of our political disputes. Along the lines, I suggested earlier, in such situations one could reduce one's confidence in the sense of making oneself receptive to understanding one's interlocutor better, a stance that one hopes would be reciprocated. An attempt at mutual understanding might not always be reciprocated. A person might insincerely ask for her interlocutor to empathetically understand her position but not be willing to return the favor for their opponent. This might not be so significant a problem for ideals of mutual understanding, though, as one is not radically altering one's view in light of the disagreement. The failure of one's interlocutor to extend the kind of good faith attempt of mutual

understanding is perhaps a defeasible reason to regard them as less reasonable than one initially supposed. Where it is unlikely that deliberations will bear fruit in the form of generating meaningful amounts of agreement, aiming for mutual understanding might help remediate some of the epistemic dysfunctions we find in the American political environment.

In aiming for a kind of mutual understanding as a goal of certain political disagreements, we have created the grounds for a new kind of epistemic relationship between the two people, where we are able to comprehend why the other person believes as she does. Stephen Darwall (2006) develops the idea that many of our moral and practical reasons arise from a “second-person standpoint.” For these second-person reasons, the relationship between individuals is what provides them with normative reasons to act in certain ways. One has reasons to act in virtue of the kind of agent the other person is. If another person asks you to remove your foot from on top of theirs, the second-person reason to honor that request depends on the presupposed authority and accountability relations that obtains between you and that other person (p. 8). As Darwall originally formulated the distinction, while moral and practical reasons can fundamentally be of this second-person standpoint, epistemic reasons are fundamentally from a third-person standpoint, as they are ultimately dependent on a person’s relation to facts and evidence, not to other knowers and cognizers (p. 12).³ But Fabienne Peter (2013) has argued that Darwall’s (2006) singling out epistemic reasons as fundamentally third-person kind of reason is mistaken. While epistemic agents certainly aim for having true beliefs, and believe others based on their having accurate beliefs, that is not the only source of epistemic reasons. An epistemic

³One might think that taking the testimony of another person as evidence seems like a second-person reason to believe some claim. But for Darwall, that testimony is still fundamentally third-person because the justification for taking that person as a relevant epistemic authority depends on their being appropriately related to the facts and evidence behind their claim.

reason can also arise from a person being an epistemic authority, where a person has the right to make claims about what ought to be believed (Peter, 2013, p. 1261).

A More Realistic Sense of Epistemic Peerhood

One would not have a reason to take a certain claim seriously if it were not being made by someone who is an epistemic authority. What kind of person would have such an epistemic status, such that their assertions generate a reason to take them seriously? Here Peter brings in the notion of an epistemic peer as having such a status. One would not have a reason to take a certain claim seriously if it were not being made by an epistemic peer. Peter's discussion of epistemic authorities as distinctively second-person epistemic reason allows for us to begin reconfiguring a central feature of the epistemology of disagreement: epistemic peerhood. The epistemic authority that comes from being an epistemic peer is not just something that falls out from her appropriately responding to the relevant first-order evidence, but to "acknowledge them as a source of valid claims beyond what you claim to be true" (Peter, 2013, p. 1262). What distinguishes an epistemic peer is that the claims they make have more evidential weight, that they are more deserving of being taken seriously than others asserting the same claim.

But who is my epistemic peer? We have seen earlier accounts of epistemic peerhood cashed out in terms of equal knowledge and expertise, though sometimes as reliability or likelihood of being right about some question. Kurt Loughheed (2018) helpfully distinguishes the cognitive and evidential kinds of equality involved in traditional notions of peerhood: cognitive equals are equal in terms of their intelligence, skill, competence, or other skills relevant to a certain issue, while evidential equals are those who share the same evidence and information that bears on a disputed proposition (p. 63). In Loughheed's terms, two people are epistemic peers in

this strict sense if they are both cognitive and evidential equals with each other on a given proposition.

As we saw briefly in Chapter Two, the major issue with this strict sense of peerhood is that it is exceedingly unlikely that any two distinct people will be exactly equals with each other on a given proposition in either the cognitive or evidential sense. Loughheed (2018) notes that if public evidence a person has available to them is invariably shaped by her past experiences, then no two people could have exactly the same evidence (p. 65). As Nathan King (2012) reminds us, it is uncontroversial that it is next to impossible that two people have exactly the same levels of expertise, perfectly shared bodies of evidence. It “is even less likely that two people would recognize or acknowledge that this relation obtains between them” (p. 263). Where epistemic peerhood does not obtain, the prescriptions of many epistemologies of disagreements are simply inapplicable. It would be unfortunate if we are devoting significant amount of our attention on epistemological cases that are at best only relevant for a microscopic sliver of real-world disagreements.

But there are other problems with how epistemic peerhood operates in the context of political disagreements. We often use partisan political identities to signal whether someone tends to get important normative policy-related questions right or wrong. Suppose Adam is having a dispute over U.S. immigration policy with Kelsey, who he generally takes to be reasonably informed on political matters. Over the course of their discussion Adam, who is generally in favor of increasing the number of immigrants into the U.S, finds out that Kelsey has affinities with the political party *Alternative für Deutschland* (AfD) in Germany and pro-Brexit party in the United Kingdom, and regularly gets most of his immigration-related news from

VDare.com, an infamously racist anti-immigration site. However reasonable Kelsey may seem, his affinities with radically anti-immigration parties and political movements signal to Adam that he tends to get many political questions relevant to this issue wrong (by Adam's lights at least). That fact about Kelsey being effectively unreliable gives Adam a reason to downgrade him as a peer, thereby plausibly diminishing any conciliatory requirement on Adam to modify his beliefs in light of this disagreement. Of course, that works in the opposite direction as well, where Adam's affiliation with more left-wing or pro-immigration parties might be a reason for Kelsey to downgrade him as his peer as well. While this downgrading might be reasonable in this particular disagreement from each person's perspective, we can see how it can contribute to more polarization.

In light of these issues, a lower, more lenient⁴ threshold of peerhood might also be helpful for many political disagreements. There is one significant worry with developing more lenient thresholds of peerhood, however. If we relax the standards of peerhood too much—say by no longer requiring cognitive or evidential parity between two people—then we run the risk of dissolving the epistemic interest of the disagreement. If one disputant has substantially more expertise or evidence than the other person does, then the issue of what should be done is fairly uncontroversial: other things being equal, the less knowledgeable or evidentially grounded person should shift more toward the position of the person with more knowledge and evidence.

Though there have been other attempts at developing a kind of epistemic peerhood that is more sensitive to real-world applications (Lackey, 2014), I want to develop an enticing

⁴One might wonder if the aim of the notion of peerhood I am developing is intended to *replace* or *complement* the standards notions that are used in epistemology of disagreement. For the purposes of this essay, I only want to make the more modest aim of making space for it as a distinctive kind of peerhood that does not collapse into the more mainstream forms.

possibility from Andrew Rotondo (2015) of a “deliberation peer.” Someone who is a deliberation peer is “worthy of engagement and debate, from whom we can learn, who bring[s] significant arguments and evidence to the table, and whose opinions should not be curtly dismissed as inferior,” even if one takes them to be significantly wrong in that domain (p. 3). This definition does not simply collapse back onto weaker accounts of peerhood like Adam Elga’s (2005) where epistemic peers are those who take themselves equally likely to be mistaken. With a deliberation peer, one may grant that the other person is probably likely to get the question in dispute wrong, but that they are still meet a threshold where they are worthy of engaging with anyway.

Deliberation peerhood is particularly salient for political disagreements. For instance, I disagree with much of what conservative New York Times columnist Ross Douthat has to say on a wide range of issues. Yet despite the fact that I think he is wrong, his columns are usually thoughtful and reflective enough that I find him anticipating and answering many of the objections that come to my mind while reading his work. Though I do find many places of weakness and error, Douthat is careful enough that it often takes work on my part to spot them. In situations where I find his latest column to be arguing for a position that vehemently disagree with, I might be led to give that a fair hearing that might not otherwise be epistemically warranted if the same argument came from someone I did not recognize as a deliberation peer.

What are the criteria for two people to be deliberation peers with one another? Here the general domain of features involved in epistemic peerhood—domain competence, cognitive capacity, evidential access, and so on—are likely to be relevant for deliberation peerhood as well. The difference, however, is that instead of trying to ascertain if two people are maximally epistemically symmetrical with each on any of these spectrums, deliberation peers need only to

determine that they both in the same “epistemic neighborhood” of each other, that is if they have some kind of evidential and cognitive comparability with each other. While epistemic peerhood in the mainstream strict sense of the concept is more about determining if two people are maximally epistemically symmetrical with each other, determining if they are the other’s deliberation peer is more about whether they each satisfy a certain threshold of epistemic competence and evidence. Deliberation peers is more of a satisficing standard than an optimized or maximal one. Given our inherently limited cognitive capacities it is rather difficult to identify when two people meet the more optimal standard of being strict epistemic peers with each other.

The problem with focusing on these more lenient terms of epistemic comparability is that it is often those small differences of evidence or expertise can make a big difference epistemically. If two prosecutors are disagreeing about whether a suspect committed a crime, and one has evidence that the suspect’s fingerprints and DNA are found at the scene of the crime, that relatively small amount of evidence can play a large role in shifting what one should believe about that case. To put this in the context of political disagreements, suppose that two people are disagreeing about whether to allow more immigrants along the Southern border between the U.S. and Mexico. If one person has accurate information about how much increased immigration will impact crime rates, while the other person does not, that relatively small difference in available data can have a large impact on what each person should believe.

One might think that the kind of deliberation peer I am discussing here is just another term of a hermeneutic of charity, where one is willing to give the benefit of the doubt to another individual or to generously interpret their claims, even if they are not on an epistemic par with oneself. I think there are good reasons to distinguish deliberative peers from a hermeneutic of

charity. I think this charitable standard is a bit weaker than a deliberation peer because one can be charitable to a person and their views even if one has good reason to think they fail to meet the epistemic criteria involved in recognizing a deliberation peer. For example, one can generously interpret one's interlocutor, treat their claims fairly while still thinking that he is one's epistemic inferior: that he is ignorant of certain key facts that bear on the question or substantially deficient in reasoning or expertise in that domain. Though obviously we should also be charitable towards our epistemic and deliberative peers too, my point here is that we can also extend it towards those who are our epistemic inferior. I think the reasons for extending charity towards our epistemic inferiors⁵ are less epistemic in nature and more practical or moral. I might be charitable towards political disagreements with friends or family members not because they have thought a lot about the issue or have some insight to teach me, but because I value that relationship and want to build it up. I might charitably engage with others because we think they are my moral and political equals—that they are due some basic level of moral respect that involves not being harangued, browbeaten, lectured at, or condescended to (Aikin & Talisse, 2019)—even if they fail to be on a par with me epistemically speaking. While I might extend hermeneutic charity without regard to my interlocutor's epistemic status, when it comes to a deliberative peer, I engage with them for distinctively epistemic reasons: I reasonably think they are in the neighborhood of my competence and plausibly have some insight that I can glean from them.

⁵One might push back at this point and say that one can often learn from one's epistemic inferiors. Any teacher worth her salt knows that she may profit epistemically from engaging with disagreement from her students, whom we might reasonably stipulate are her epistemic inferiors on many questions. Here we can distinguish between what Maura Priest (2015) calls competent and incompetent inferiors. My discussion here on charity is focused more on those we can reasonably deem as not on an epistemic par with us, while the case of many intelligent and thoughtful students might plausibly count as competent inferiors.

What does recognizing a deliberation peer require one to do, epistemically speaking? When encountering an individual that one takes to be a deliberation peer, one has more of an obligation to give them a fair hearing of their reasons and justification supporting their assertions. Note that this is a fairly modest requirement; countenancing a deliberation peer does not necessarily mean a significant reconsideration, or adopting a skeptical attitude, of one's own viewpoints, but does have enough of a track record to warrant consideration of their point of view and the reasons for it.

It should go without saying that deliberative peerhood is also a fallible attribution. One might turn out to be wrong in countenancing another person as being epistemically comparable with oneself on a given issue, that they are actually inferior to one on some important epistemic dimension. But just being slightly inferior on some epistemic dimension does not necessarily justify downgrading a person as a deliberation peer, in the way that it would justify downgrading them as an epistemic peer. But the point of fallibility is that it is still possible for a person to be substantially inferior than one thought them to be. In such a case, one is permitted to reconsider engaging with them as a deliberation peer. One might continue to engage with a person for some of the practical reasons related to hermeneutical charity described above, but one is not doing so for the epistemic reasons that motivate engagement with a deliberation peer.

Conclusion

In this chapter I have outlined the relationships between deliberative democracy, empathetic understanding, and epistemic peerhood, and how they might bear on the epistemological issues of disagreements in American political discourse. There remains much to be developed in each of these focal points, as I have only given the opening movements in

developing the connections between these concepts. Despite the limited aim of this chapter, I have shown here that it is possible and productive to bring the abstract, highly idealized discussions related to the epistemology of disagreement down to earth and engage with at least some of conflicts in the messy real world of U.S. politics. Pessimism about American democracy will continue to be warranted, but Fishkin's (2018) deliberative polling gives us not only some glimmer of prospects that more productive disagreements about important political issues might be more feasible than many people believe.

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VITA

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