

DISAGREEMENT, DISPOSITIONS, AND HIGHER-ORDER EVIDENCE

by

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In opting to consider toy cases of disagreement -- cases that, like Christensen's dinner bill scenario, obviously involve evidence-sharing epistemic peers -- epistemologists have hitherto failed to take seriously a distinct and "deeper" kind of disagreement. The distinction emerges most clearly, I argue, when cases that are typically thought to be vulnerable to the threat of "spinelessness" are brought in for more careful consideration (i.e. political disagreements, religious and philosophical disagreements, etc.). By picking out distinctive features of this sort of disagreement - *deep* disagreement -- and arguing that it is, in fact, epistemically significant (though, perhaps requiring a different response than that required by toy cases of *shallow* disagreement), I attempt in this paper to re-orient the literature on disagreement, recommending that epistemologists focus their efforts on paradigmatic cases of deep disagreement and suggesting that this will resolve apparent tensions associated with "spinelessness" that have arisen within the literature.

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"In this attitude [the whale] now shook the slight cedar boat as a mildly cruel cat her mouse. Ahab, helpless in the very jaws he hated, seized the long jaw with his naked hands, and wildly strove to wrench it from its grip. As he now thus vainly strove, the jaw slipped from him. The frail gunwales bent in and snapped as both jaws, like an enormous shears, bit the craft completely in twain. Ahab fell flat-faced upon the sea."

--Herman Melville, *Moby Dick*

Consider in broad outline the classic contemporary case of epistemic disagreement: you and I do some mental math and arrive at different conclusions about how much we each owe toward the dinner bill that we agreed to split.¹ Epistemologists on both ends of the steadfast/conciliatory spectrum find themselves agreeing that, at the very least, such cases bring out the intuition that there is something evidentially, and thus epistemically, significant about the disagreement of equally reliable and well-informed agents. After all, failure to take your divergent response “into account” -- whatever this may amount to -- would seemingly evince a rational defect on my part. On the flipside, incorporating the views of others -- views I encounter in the social give and take of reason -- into my own deliberation regarding what to believe is often praised as the very hallmark of rationality and reasonableness. In the middle distance, however, looms a dark and ominous cloud: many of our most confidently held beliefs -- indeed entire worldviews that we ourselves endorse -- are the subject of deep and apparently insoluble disagreement. Consider the case where I take it that personal experiences that I have while praying or simply experiencing natural beauty (“religious seemings” you might call them) can somehow contribute justification to my belief that God exists,² and you disagree.³ While we may formerly have thought of

¹ This case, of course, was originally offered by David Christensen in (Christensen, TKTk).

² Perhaps I think such religious seemings contribute justification to my belief in God in the same way that interpersonal experiences I have when I interact with you could contribute justification to my belief in your existence.

³ While this paper will not take up questions of religious belief explicitly, it is worth noting that accounts of the epistemic significance of disagreement are often thought to have application within this domain. This is, of course, no accident, considering that the contemporary literature on disagreement can plausibly be claimed to find its genesis in such disagreements. For a relevant overview see (Kelly, 2005; especially pages 8-9). For a seminal treatment of disagreement and

disagreements as slight ripples on the surface of our self-awareness requiring us to take note -- a helpful reminder, perhaps, that we are none of us epistemically infallible -- they now threaten to emerge from the depths larger and with jaws wide open, leaving us, like the obsessive and ill-fated Ahab, clinging to the barely buoyant fragments of what we once took to be a sea-worthy vessel.

In simpler language: admitting that peer disagreement is pervasive raises a worry that epistemologists have referred to as “spinelessness” in the literature. The gist of this worry is that accounts developed to provide the epistemically appropriate response to cases like the dinner bill case (alluded to above) are going to rationally require that we become agnostic or “go spineless” with respect to a wide range of beliefs that we are now very confident in because these beliefs are the subject of actual and vehement peer disagreement. Here’s Elga presenting the problem of spinelessness in the course of defending his own radically conciliationist account against it:

The equal weight view...requires you to weigh each stance equally, along with your own. But that requires you to think, of each stance, that it is very unlikely to be right. Typically, it will follow that you ought to suspend judgment on the issue. Since it seems that you are in this circumstance with respect to a great many issues, the equal weight view requires you to suspend judgment on all of these. Do you have any convictions on controversial political, philosophical, or

religious belief see (Gutting, 1982). For more, contemporary engagement with this question see (Feldman, 2004) and (Feldman, 2005).

scientific matters? The equal weight view seems to say: kiss them goodbye. (Elga, Reflection and Disagreement 9 and 10)

Elga goes on to argue that neither his view nor more moderate forms of conciliationism entail spinelessness because “epistemic peers” (properly defined) are extremely few and far between. Once we come to appreciate this fact, Elga thinks, we will see how epistemically significant disagreements are a relatively rare phenomenon. This is one route to take around the problem of spinelessness, but, of course, it is not the only one. Others, with commitments similar to Elga, argue that spinelessness fails to present a massive intellectual threat because a proper understanding of what it means to “share evidence” (even among epistemic peers) will rule out problematic cases, or at least scale down the threat of spinelessness until it appears more like a requirement to give an intellectually humble nod to those who are less evidentially privileged than oneself. According to all such views, there is a difference between “shallow” cases of disagreement (like that involving the dinner bill), and “deep” cases of disagreement (like religious or political disputes), and this difference will ensure that disagreement is not pervasive enough to cumulatively provide enough evidence to call into question the majority of beliefs that make up one’s worldview. The phenomena we’ve been discussing -- peer disagreement -- under the assumption that it may provide fundamental insights into the social nature of epistemic rationality, turns out to have been an awkward red herring. It turns out to be the sort of thing that arises, not during the heated debates we have over dinner, but afterwards, while we try to add up our respective shares of the bill.

Elga and others⁴ are right to want to argue that their views do not entail spinelessness: no view that does could be a serious contender in questions of the epistemic significance of disagreement. They are also right in thinking that the best strategy for doing so will involve picking out key differences between the types of cases thus far considered in the literature, and those that would be susceptible to spineless worries. But they go seriously wrong -- or so I will argue -- in setting up as targets intuitive notions of what it means to be an “epistemic peer” or how it is possible for such peers to “share evidence” with respect to a disputed question. We know what it means to share evidence, and we know that there are many people in the world who count as our epistemic peers. Their mistake is to move unquestioningly from toy cases like the one we began with, to the larger and more disparate cases that would be the target of a requirement to go spineless. The fact that cases like those involving “religious seemings” (or political disputes, or philosophical disagreements) have been considered only in extreme abstraction (i.e. in connection with general problems like spinelessness) is an oversight that I would like to draw attention to in this paper. Rather than considering toy cases in painstaking detail, and then gesturing vaguely at the truly problematic cases of disagreement, the argument in this paper suggests that we take on the problematic

⁴ Here’s Christensen defending conciliationism from a similar objection: “On the other hand, there are areas of morality, religion, politics, and economics, and, unfortunately, philosophy which are rife with disagreement. Why is this? It seems clear that disagreement flourishes when evidence is meager or poorly distributed, or when, due to our emotional or intellectual limitations, we are just not very good at reacting correctly to the evidence. In other words, disagreement flourishes when epistemic conditions are bad. To focus in on my own Field, I think that we all should acknowledge that epistemic conditions are not so great in philosophy.” (Christensen, 2007c, 28) Note that he does not use the objection as an opportunity to disown these sorts of cases, or argue that they are outside of the scope of his analysis, instead he opts to spin the incredibly revisionary implications of his view in a more favorable light.

cases of disagreement head on, in order to see if we can discern any distinctive features.

To show my hand from the outset: I do believe that we will discover some such features, and that the way around spinelessness may be simply to consider the specific ways in which these latter cases of disagreement differ from those currently on offer. My thesis, then, is diagnostic: I mean to examine and identify a difference between toy cases and cases that would seemingly make us susceptible to spinelessness, and to use this difference to explain our (appropriate) suspicion of spinelessness without complicating with the easily grasped concepts of epistemic peerhood or shared evidence. This difference, I shall claim, both explains why spinelessness will not threaten views along the traditional spectrum that has emerged, and suggests that the literature on the epistemic significance of disagreement has gone slightly off the rails in a very important way.

More specifically: in this paper I aim to vindicate three intuitive propositions about the epistemic significance of disagreement, without recourse to the objectionable strategies to which I have just referred. Those propositions are:

- (a) The proper response to the cases discussed in the literature is to reduce one's confidence in the original proposition
- (b) Many evidence-sharing, epistemic peers disagree with me with regards to the majority of my most confidently held beliefs
- (c) It would be irrational for me to go spineless with regards to the majority of my most confidently held beliefs

Since (a) and (b) only entail spinelessness on the assumption that my disagreements with evidence-sharing, epistemic peers regarding my most confidently held beliefs are all of the same type as those discussed in the literature (that is to say, that all disagreements are “shallow” disagreements), a distinction that could falsify this assumption would render (a), (b), and (c) consistent. This tension is the main sticking point for theories of disagreement currently considered viable, and it serves as a nice framework within the literature for my central concerns. Thus, I will use this tension as a point of engagement with (and eventual departure from) the literature. Its explication and resolution will serve merely as bookends, however, for what I consider to be the main contribution of this paper: the introduction and seminal analysis of a type of disagreement that we have hitherto failed to consider in its concrete instances, a kind of disagreement that is both epistemically rich in its own right, and distinct from any other kind of disagreement currently under consideration in the literature.

After setting up the dialectic of this paper in terms of the aforementioned tension in § I, I will introduce cases and distinguish these types of disagreement at greater length in § II. In that I section I will also raise two immediate objections to the distinction in order to postpone discussion of them until § IV. I will then consider the nature of evidential dispositions at greater length in § III. In § IV I consider and argue against the objection (originally raised in II) that plausible conditions on peerhood will prevent dispositional disagreements from arising in an epistemically significant way. In § V, I present Kelly’s *Total Evidence View* and Christensen’s *Conciliationism* in more detail. I argue in § VI that both accounts are

incomplete insofar as they fail to treat dispositional disagreements as epistemically significant. In both accounts this failure is the result of a commitment to the claim that all epistemically significant disagreements are grounded in calculative errors, and is evinced by their defenders' exclusive focus on cases of calculative disagreement. In § VII, I give reason to think that this is problematic for these views. In the penultimate section of the paper (§ VIII), I respond to the objection that dispositional disagreements are outside of the scope of epistemological accounts of disagreement, by showing that this objection, if true, would itself require vast revisions to the contemporary literature. § IX concludes the paper with a brief summary of my main argument, and gestures at the form theories that take seriously my distinction might take.

I. Discerning the Depth of a Disagreement

Consider once more the classic case of disagreement, this time offered in more detail:

Mental Math: After a nice restaurant meal, my friend and I decide to tip 20% and split the check, rounding up to the nearest dollar. As we have done many times, we do the math in our heads. We have long and equally good track records at this (in the cases where we've disagreed, checking with a calculator has shown us right equally frequently); and I have no reason (such as those involving alertness or tiredness, or differential consumption of coffee or wine) for suspecting one of us to be especially good, or bad, at the current

reasoning task. I come up with \$43; but then my friend announces that she got \$45. (Christensen, 2011)

The case is supposed to be a paradigmatic instance of epistemically significant disagreement, and for good reason. First, it's clear that this is a case of disagreement between epistemic peers. While this relationship is not spelled out all too frequently in the literature, it is at least clear that two individuals with equally long and equally accurate track records with regard to the question at hand (as is the case here) will stand in this relationship. Secondly, it is obvious that the two have access to all the same evidence; they have both looked at the receipt, what other evidence could there be in this case? Since these are the two ingredients necessary for epistemically significant disagreement, we have ourselves a genuine case.

It is also a paradigmatic case of what I want to call "shallow" disagreements (from now on without the quotation marks). The key move in this paper will be to distinguish such cases from "deeper" cases of disagreement (i.e. the type with respect to which spinelessness threatens), in a way that doesn't make these deeper cases any less epistemically interesting (although it may be that the two types of case are epistemically interesting in very different ways). To this end, I will spend the remainder of this section attempting to elucidate a few characteristic features of shallow disagreements, by examining the ways in which such disagreements have been treated in the literature.

1.a Shallow Disagreements and the State of the Literature

consider two extreme (and overly simplistic) positions one might take with regards to the epistemic significance of the disagreement in this case. On the one hand, one

might hold what we can call a “conciliatory” position. According to *Extreme Conciliationism*, the proper response to disagreement between evidence-sharing, epistemic peers is for each peer to reduce her credence in the disputed proposition by half (or, if we are working without degreed notions of belief, simply to suspend judgment on the relevant proposition). The proper response in this case, according to the extreme conciliationist, would be for both Christensen and his friend to become much less confident in their original beliefs regarding the bill. On the other hand, one might hold what we’ll call a “steadfast” position. According to *Extreme Steadfastianism*, the proper response to disagreement between evidence-sharing, epistemic peers is for each peer to hold tight to her original answer, despite the disagreement. (I suppose this position needn’t be qualified in terms of degreed or wholesale beliefs since the response will be the same in either case: don’t budge!) The proper response in this case, according to the extreme steadfastian, would be for Christensen and his friend to maintain their original beliefs about the amount that each owed toward the bill, despite the disagreement in question.

Of course, no one is going to hold either of these positions in their current (unqualified) forms. My purpose here, however, is simply to set up a dialectical framework (and not to advance a position rivaling either of these views, or more nuanced, actual versions of these views), so for now we’ll work with the extreme versions of the views in order to bring out in sharp relief a broad tension within the disagreement literature.

Extreme Steadfastianism has to contend with the apparent problem that it is irrational to ignore disagreement with evidence-sharing, epistemic peers. After all,

one might reason in a case of actual disagreement in the following way: “X is my epistemic peer and shares all of my evidence, and yet she has come to a different conclusion than I have. Since I really don’t have any reason to think that I’ve gotten it right while she’s gotten it wrong with regard to the question at hand, I should probably be less confident in my original answer.” This seems like the right thing to do. It seems obviously right. In *Mental Math* it would be clearly wrong for either of the peers simply to ignore whatever evidence was provided by his friend’s disagreement. Disagreement seems to be evidence of fallibility (even if it is, in fact, misleading evidence in a given case).

Extreme Conciliationism, on the other hand, is faced with a different problem. Once the conciliationist has resolved the case at hand by reducing her confidence in the disputed proposition, she is going to have to face the fact that many, perhaps *most* of her most confidently held beliefs are the subject of exactly parallel disagreements. To put the point in terms already discussed: the conciliationist has to contend with the possibility that her view entails spinelessness.

We are now in a position, then, to appreciate an apparent tension within the literature on disagreement, and to see how a genuine distinction between shallow and deep disagreements might ease this tension in a theoretically fruitful way. Here is the tension in a set of three apparently incompatible propositions:

- (a) The proper response to the cases discussed in the literature is to reduce one’s confidence in the original proposition
- (b) Many evidence-sharing, epistemic peers disagree with me with regards to the majority of my most confidently held beliefs

- (c) It would be irrational for me to go spineless with regards to the majority of my most confidently held beliefs

Let me emphasize, once again, the dialectical nature of this section. Surely there are ways that more nuanced versions of either of the extreme positions that I sketched could get around this tension. As I mentioned in the introduction, conciliationists might contend (and, indeed, some actually do) that (2) is simply false. According to this position, we needn't go spineless with regards to the majority of our beliefs, despite the fact that conciliationism is generally true, because cases of widespread and far reaching disagreement are only *apparently* cases of disagreement with evidence-sharing, epistemic peers. When considered more carefully, these cases are revealed to be disagreements amongst people with whom one should not consider oneself in the peerhood relation. Likewise, steadfastians may (and some actually do) argue that (2) and (3) should make us less confident of (1). According to these philosophers, even when we ought to reduce confidence (as we perhaps should in cases like *Mental Math*), it is not simply because epistemic peers disagree with us, but for some further, more complex reason (a reason that may yield different results depending on the details of a given case)). My point in this section is not to explicate or engage with the ways in which these positions might resolve the tension. In the remainder of the section, I simply want to point to one simple way of resolving the tension: i.e. adopting my proposed distinction.

If there is a distinction between disagreements that are ultimately grounded in calculative errors, and those that are grounded in deeper differences (whatever these may be), there is a straightforward way of maintaining (1), (2), and (3). First,

(1) is true because it seems as though higher-order evidence of calculative error really ought to effect your beliefs in just the way extreme conciliationism suggests. *Mental Math* is a prime example of such a case, and -- just like (1) says -- conciliationism (even extreme conciliationism) gets things right in this case.

Secondly, there is no pressure on us to reject (2). I think the proposition itself is pre-theoretically plausible enough (if not undeniable) once we understand the philosophical term of art "epistemic peer." Of course there are people out there, probably hundreds of thousands, possibly millions, who are equally as epistemically equipped as I am, and who hold radically different (and incompatible) beliefs despite having access to all the same evidence. The only pressure I can see to reject (2) comes from theory-preservation type reasons to revise this pre-theoretic intuition (reasons like the ones that seem to motivate conciliationists to reject it), and, as we'll see in a minute, my distinction can easily do away with this pressure.

Finally, (3) is true in the following scenario: a) the beliefs that would otherwise be targeted by widespread disagreement with evidence-sharing, epistemic peers are dispositional disagreements, and b) conciliationism (though it gets things right with regards to calculative disagreements) is not the proper epistemic response to dispositional disagreements. I won't yet say what the proper response to such disagreements might be (I'll save that for the final section), but it should be clear enough how this would relieve the tension that leads conciliationists to reject proposition (2).

I.b Distinctive Features of Shallow Disagreements

Before attempting to consider deep cases of disagreement at greater length, I would like to briefly consider the characteristic features of shallow disagreement that have emerged in the previous subsection.

First of all, it is clear that disagreement in *Mental Math* is grounded in some sort of error. I will proceed (with great caution, lest I mislead the reader with an inappropriate term) to call the sort of error involved in *Mental Math* “calculative error.”⁵ Calculative error is the type of error that gets you disqualified from a spelling bee on a word that you know or marked down on a math test despite having already acquired the relevant skills. When you ask me to add 42 and 68 in my head and I announce that the sum is 100 because I forget to “carry the one,” this omission is a calculative error.⁶ The idea here is simply that it is a defining feature of the case under consideration that it necessarily involves that failure of one or both of the agents to properly appreciate (or properly calculate) what they both -- by their own lights -- take to be the relevant evidence. In such cases, then, it is clear enough why we disagree: at least one of us has made an error in the mental calculations that we both performed. This kind of fallibility -- fallibility with respect to evaluating what the evidence actually supports -- has become central in discussions of the epistemic

⁵ The term “calculative” here should not be thought to imply that all such errors are mathematical. The term will be used more broadly to include general calculations about what some evidence supports. When you and I encounter a logic puzzle and I give the wrong answer I have committed a calculative error in the broad sense that I will employ throughout this paper.

⁶ Of course, calculative errors can be more or less complex. As we’ve seen, announcing that Horse A has won the race based on what I take to be indisputable visual evidence (“I just saw it!”) is a calculative error if an ideally rational agent with the same perceptual data would have been less confident, or would have declared Horse B the winner. Similarly, believing that the available meteorological data suggests rain in the five day forecast when it actually suggests a week of dry heat and sun is also an instance of a calculative error.

significance of disagreement. To many, it seems uncontroversial to suppose that disagreement with epistemic peers serves as “higher-order evidence”⁷ of this sort of fallibility.

This brings us to the second feature, then, of such cases (shallow cases, as I’ve been calling them). Shallow cases of disagreement, if they provide evidence at all, do not provide a distinctively third-personal sort of evidence. Allow me to explain. In his seminal analysis of the epistemic significance disagreement, Kelly finds himself asking a somewhat odd question: what does disagreement have to do with the epistemic significance of disagreement anyways? He comes by this question by the following line of reasoning: if disagreements are significant because they are higher-order evidence of our cognitive fallibility, then why shouldn’t we be concerned, not only with real disagreements, but also with possible disagreements? (I.e. disagreements that we would consider to have the same evidential force if they had proponents, despite the fact that the positions don’t (actually) have any proponents.) But if we ought to take possible disagreements just as seriously as actual disagreements, what’s so important about disagreement in the first place. It’s worth quoting Kelly at some length:

Whether we find the possibility of disagreement intellectually threatening, I suggest, will and should ultimately depend on our considered judgements about *how rational* the merely possible dissenters might be in so dissenting. And our assessment of whether

⁷ The difference between first-order and higher-order evidence is raised in (Kelly, 2005), and treated at greater length in (Kelly, 2010) and (Christensen, 2010). It is an issue to which I will return in section IV.

rational dissent is possible with respect to some question (or our assessment of the extent to which such dissent might be rational) will depend in turn on our assessment of the strength of the evidence and arguments that might be put forward on behalf of such dissent. But if this is correct, then the extent to which merely possible dissent should be seen as intellectually threatening effectively reduces to questions about the strength of the reasons that might be put forward on behalf of such dissent. Now, there might be cases in which we judge that the arguments and evidence that could be brought forth on behalf of a hypothetical dissent are truly formidable, and this might justifiably make us doubt our own beliefs. But in that case, the reasons that we have for skepticism are provided by the state of the evidence itself, and our own judgements about the probative force of that evidence. The role of disagreement, whether possible or actual, ultimately proves superfluous or inessential with respect to the case for such skepticism (Kelly, 2007).

And again, on this same note, Kelly concludes his paper:

I have argued that disagreement does not have the kind of epistemic significance that has sometimes been claimed for it. Still, it would be a mistake to think that disagreement is therefore epistemically *insignificant*. What epistemic role or roles are left for disagreement, on the view that I have defended? Of course, an awareness of disagreement can serve to call one's attention to arguments that one

might never have considered or to evidence of which one might have been unaware. However, even when all parties to a dispute have access to the same evidence and arguments, disagreement can still play an epistemically salutary role (Kelly, 2007).

What is this role? Kelly's "suggestion is that the role of actual disagreement among epistemic peers is analogous to the role that actuality sometimes plays in falsifying modal claims that are mistakenly thought to be justified a priori" (ibid). That is to say, whatever is epistemically interesting about disagreement cannot essentially involve the person with whom you happen to find yourself disagreeing. If you plausibly could have discovered the source of your calculative error on your own (given enough time or more cautious methodology), then disagreement will not be able to provide anything but first-personal reasons to reducing your confidence in a belief. In short: disagreements serve a merely *heuristic* epistemic role.

Thus far, I believe that the way in which Kelly has characterized disagreement applies across the board...to shallow disagreements! That is to say, if we restrict ourselves, as epistemologists instinctively have, to cases of shallow disagreement, then we will find, with Kelly, that the epistemically interesting thing about disagreement is that there really isn't anything particularly epistemically interesting *about disagreement* (per se). And this will be as true for conciliationists as it is for steadfastians. Vitaly important at this juncture, however, is that a difference between shallow and deep disagreements capable of obviating the spinelessness tension presenting in the introduction may (and I think will) show

Kelly's generalizations to be true only of one sort of epistemically interesting disagreement.

In the introduction to this paper I referred to a certain type of strategy that Elga and others have employed in an attempt to get around the problem of spinelessness. My strategy does not differ in kind from the ones alluded to there: in both cases the strategy consists in identifying differences between the kinds of cases that we often consider in all their analytically interesting detail and the sorts of cases that we are reluctant to apply our findings to. My strategy does differ, however, in one way that has crucial implications for the literature on peer disagreement. While Elga (et al.) claim that the two kinds of case differ insofar as the shallow cases are epistemically significant (since they involve evidence-sharing, epistemic peers) while the deep cases are not (since they must involve non-comparable agents, or fail to involve a shared body of evidence), my analysis makes no such claim. In fact, I believe that it is the deeper cases disagreement that have concerned us all along. The shallow cases, to my mind, have always stood in as a proxy for the deeper cases; though, in figuring out the proper epistemic responses to these cases, we have come to appreciate how dissimilar they are to the truly interesting sort. By allowing for cases of deep disagreement to be epistemically significant (as my analysis does) we avoid worries about spinelessness by recognizing that we've been failing to consider what's truly interesting about disagreements: that deep and problematic cases of disagreement don't serve as a mere "heuristic" for a simple sort of cognitive error that we could, in principle, have avoided had we been a bit more careful, but rather open our deliberative processes

up to the social influences by forcing us to take seriously not just the possibility *but the actuality* that there is more way to look at a shared body of evidence; by presenting us with this alternative interpretation of the evidence and forcing us to make sense of it. In this way, then, we can reintroduce the social element of disagreement that has so captivated us from the outset. By refusing to restrict our attention to shallow cases of disagreement (that are essentially just another form of first-personal reasoning), we can once more perplex ourselves with the questions that have bother us every time we encounter another opinion, or system of beliefs, or worldview. We can, in short, begin discussing disagreement.

II. Key Cases and an Objection to the Proposed Distinction

What the appropriate epistemic response is to cases of disagreement between evidence-sharing, epistemic peers -- the central question of disagreement - - will depend on a judgment about what must explain the dispute in question. More specifically, whether or not we are forced to choose between versions of the positions introduced in section I (and then to pursue one of the strategies there detailed) will depend on whether or not we think disagreement serves always as “higher-order evidence” of one’s fallibility with respect to a proper appreciation of the relations of support among one’s evidence.⁸ But why would we think this?

Consider an instance of the type of case that is most often examined in the literature. Like *Mental Math* above, this seems to be a clear case of what I have been calling calculative disagreement:

⁸ It is clear that many take it that disagreement does always serve this role. See, for instance, (Christensen, 2009), (Kelly, 2010), and (Elga, 2007). In fact, I will argue that taking this supposition for granted commits these philosophers to implausible solutions to the tension offered in section I. Ultimately, I think that this serves as more motivation for accepting my distinction.

Case 1. You and I, two equally attentive and well-sighted individuals, stand side-by-side at the finish line of a horse race. The race is extremely close. At time t_0 , just as the first horses cross the finish line, it looks to me as though Horse A has won the race in virtue of finishing slightly ahead of Horse B; on the other hand, it looks to you as though Horse B has won in virtue of finishing slightly ahead of Horse A. At time t_1 , an instant later, we discover that we disagree about which horse has won the race. How, if at all, should we revise our original judgments on the basis of this new information? (Kelly, 2010)

And another:

Case 2. You and I are each attempting to determine the current temperature by consulting our own personal thermometers. In the past, the two thermometers have been equally reliable. At time t_0 , I consult my thermometer, find that it reads '68 degrees', and so immediately take up the corresponding belief. Meanwhile, you consult your thermometer, find that it reads '72 degrees', and so immediately take up that belief. At time t_1 , you and I compare notes and discover that our thermometers have disagreed. How, if at all, should we revise our original opinions about the temperature in the light of this new information? (Kelly, 2010)

Case 1 makes it clear that the difference in our judgments has to be explained by *something or other*. It can't simply be that the evidence supported my judgment for

me, while that same evidence supported your (incompatible) judgment *for you*. This is supposed to be fixed by the stipulations of peerhood offered at the beginning of the case: we're equally well-sighted and have records of equal reliability in the past, you don't have a better view of the finish line than I do (and, hence, no evidence that I lack), etc. But if there must be some difference that explains the disparity of our judgment, it must be that one of us has simply miscalculated (or perhaps both of us have). The difference in our judgments is explained by a difference in the way in which we appreciated our evidence.

Case 2, though, clearly brings out the fact that such "differences" -- at least in the cases we are considering -- will inevitably be grounded in the error of one or both of us. Calculative errors occur when one fails to properly appreciate some data that is, in some sense, in her possession, and that she knows should be treated as evidence. It is not as if you and I can simply have different ways of calculating visual (or mathematical or scientific) data, and that these ways can lead us (remember, we're epistemic peers) to incompatible but equally well-supported conclusions. In addition to meeting the requirements of peerhood, we have a shared understanding of what counts as evidence and how that evidence ought to be calculated (just as we clearly do in *Mental Math*) and any deviation in calculation from this common understanding will, inevitably, constitute an error.

But not all disagreements are like this. And this is true (as I will argue in a moment) even for disagreements between evidence-sharing, epistemic peers.

Consider the following controversial case, originally raised by Elga:

Politics: consider Ann and Beth, two friends who stand at opposite ends of the political spectrum. Consider the claim that abortion is morally permissible. Does Ann consider Beth a peer with respect to this claim? That is: setting aside her own reasoning about the abortion claim (and Beth’s contrary view about it), does Ann think Beth would be just as likely as her to get things right? (Elga, 2007)⁹

Setting aside the specifics of the dialectic of Elga’s paper here, I think it’s clear enough to see that this case differs significantly from the two offered above. As Elga himself points out: “the abortion case is quite different than the multiplication case.” (Elga, 2007) My current purpose is to ask how the cases differ, and then to suggest that this difference -- while it may affect what we take the proper epistemic response to be in cases of either kind¹⁰ -- should not automatically disqualify **Politics**-type cases from arising between evidence-sharing, epistemic peers.

In the introduction of this paper, I informally offered a case that I take to be structurally similar to **Politics**. This was the case of the religious believer and the naturalist. Let’s modify formalize this case for ease of reference:

Grandeur: You and I are standing on the edge of the Grand Canyon.

Looking out over the expanse, I declare that the immensity and

⁹ It is an interesting side note that this case is actually offered by Elga in the course of his resolution to the tension I raised in section I. According to Elga, we must respond “no” to the rhetorical questions asked here. Beth and Ann cannot consider each other epistemic peers, and this is because they are likely to disagree with respect to a cluster of issues (and, thus, they will both appear to have gotten things wrong from within their respective perspectives). I will specifically address this aspect of Elga’s dialectic in the concluding sections of this paper.

¹⁰ The rational response required of me in light of evidence that I may have committed a calculative error will likely involve reducing my confidence in the beliefs affected, carefully attempting to figure out the source and effects of the error, etc. Responding to dispositional errors, on the other hand, will require me to make (possibly significant) revisions to my set of evidential dispositions. If disagreement serves as evidence of error (as many epistemologists believe), the rational responses required by these different types of disagreement will likely be radically different.

grandeur of this natural phenomenon must have been designed; that the experience of natural beauty on this scale suggests the existence of a designer or creator. You, on the other hand, disagree. While I take it that the experience supports my belief in the existence of a creator, you take it that the immensity and grandeur evinces no such thing. (In fact, you may have evolutionary explanations ready to explain why you think this.) On the basis of this experience I think it somewhat likely that God exists, and on the basis of the same experience you disagree.

Consider the difference between these cases: in **Mental Math** you and I disagree because of a simple calculative error. If we took the time to recalculate, step by step, the portions of the bill that we were each responsible for, one of us would presumably stop at one of the steps to say something like, “Of course, I was dividing by the wrong number!” In **Grandeur**, there is no parallel to this method of resolution. Laying out our reasoning processes would only make explicit the fact that I am *disposed* to treat the grandeur as evidence of God’s existence, while you are not disposed to do so. In such a case, we might say, “Ah, so that is why we disagree!” but this discovery would not in itself resolve our dispute (as it would **Mental Math**). This case is of the sort that we have been calling “deep” disagreement up until this point. Because such cases are the result of a difference in the way in what two agents are “disposed” to treat as evidentially significant, from now on let’s refer to this sort of disagreement as “dispositional disagreement.”

Of course, it is not obvious that dispositional disagreements are epistemically significant. **Grandeur**, while recognizably parallel to **Mental Math** in certain respects, is messier. For one thing, that we are epistemic peers in (though this relationship itself is subject to much debate) is not as obvious in **Grandeur** as it is in the calculative case.

Now, it is possible (and my cases here may suggest that it is likely) that this difference will itself always involve some sort of error. That is to say: perhaps it must be the case that either Ann or Beth possesses faulty evidential dispositions (say, to treat certain groupings of cells as possessing the same moral status as biologically independent human beings). It might also be the case that I ought not to treat “religious seemings” as evidence in favor of theism. If this is the case, then two objections to my analysis loom: 1) “dispositional disagreements” (that is, disagreements grounded in differences of dispositions rather than calculative errors) will be ultimately reducible to “calculative disagreements,” and we will have to treat the different cases in generally the same way, or 2) “dispositional disagreements” will never arise between epistemic peers, since one or other of the disputants in such a disagreement will always have a superior disposition.

I raise these objections just to postpone discussion of them until section IV. There we consider the issue of whether or not plausible conditions on epistemic peerhood will rule out the types of cases I’m interested in.¹¹ It is worth noting, though, that I will take these objections very seriously. Indeed, my desire to offer a

¹¹ I take it that my argument will not depend on any controversial assumptions about this relationship, however, there are a number of problems that arise when we try to more systematically define this relationship. For a recent attempt to make some of these problems explicit, see (Gelfert, 2011).

proper response to them will inform the structure of the next few sections of the paper. In outline: I will argue that peerhood, as a relationship predicated on parity of epistemic ability (no matter how this is construed¹²), will not directly depend on whether or not disputants share the relevant set (or subset) of evidential dispositions. This will become apparent as we further examine the nature of such dispositions in the next section, and ask questions about how they can come to be acquired. I will then go on to resolve the tension offered in the beginning of this paper by means of my distinction, and show why doing so is preferable to any positions currently on offer.

Before that, though, one final (less controversial) case of a dispositional disagreement:

Theft: You and I are detectives interrogating bank employees suspected of a small theft. After we finish questioning a very nervous teller, you turn to me. “There’s our man,” you say. “Did you see how nervous he was?” I’m puzzled. If anything, I think, his nervousness seems to indicate his innocence (I take it small time criminals are fairly good at hiding what they take to be the most obvious signs of guilt). Still, though we generally agree on who we take to be guilty in such cases, we’ve each been right an equal number of times when we disagree. After thoroughly discussing the case you maintain confidence in your belief and I remain skeptical.

¹² That is to say, regardless of whether we define this ability in the externalist sense of reliably arriving at the right answer, with (Elga, 2007; especially footnote 21), or in more internalist sense of Christensen, Kelly, Gutting, et al, where epistemic ability is cashed out in terms possessing relevant epistemic virtues like perspicacity, intelligence, diligence, and so on.

The case shares the structure of our other (more controversial) cases, but is less polarizing because readers are less likely to come to the table with commitments that will bear on the question as to whether either of these agents must be a “better detective” (and superior epistemic agent) than the other.

With this distinction drawn, then, and with our cases in hand, let’s begin to consider whether or not dispositional disagreement can even arise between epistemic peers in the first place. We will go about this, first, by considering more closely the nature of epistemic dispositions, and then, by asking questions as to how agents come to acquire the actual set of dispositions that they possess at any given time. If I am right, and the totality of an agent’s set of dispositions is not determined by her epistemic abilities (or these abilities alone), then we will be in a position to provide a satisfying response to the major objection to my analysis raised in this section. From there, we will return to the question raised in the first section of this paper, and review ground covered.

III. On The Nature of Evidential Dispositions

At any given time, I am privy to an extensive set of data that forms the basis of my deliberation about particular questions. When I infer that I am alone in my apartment, it is on the basis of sense data (I don’t hear anyone else walking around), data provided by my memory (I remember my wife leaving and no one else entering the apartment), and so on. Similarly, when I deliberate about whether or not you are telling me the truth, it is on the basis of how nervous you appear, what motivations you might have to lie to me, facts indicative of your character, etc. The term “data” here is meant to be theoretically innocuous: data just refers to whatever it is –

considerations, facts, states of affairs – that make up the raw materials of deliberation.

Of course, which data ought to count as evidentially significant in a given case and which data ought not to figure into our deliberation is an open question. I typically don't consider the fact that the sky is blue to have any bearing whatsoever on whether or not you had spaghetti for dinner last night; the two things are evidentially unrelated. Similarly, I don't consider apparent design in nature to be evidence of God's existence, though I recognize that some people (perhaps reasonably) do. The question I'd like to briefly consider in this section is this: what does it mean to be disposed to treat some data as evidentially significant, what role do these dispositions play in our reasoning, and how do we order or structure these dispositions so that they can play this role. We'll start with the first question.

Evidential dispositions determine what types of data count as evidence and in what way. They are usually so ingrained in the processes of our reasoning that they take on the appearance of givenness; if there are fingerprints on the weapon at the scene of the murder that match Frank's fingerprints, this is evidence (perhaps good or conclusive evidence) that Frank is the murderer. The testimony of experts is evidence of those propositions to which they testify. Expressions of such individual dispositions take the form "*X counts as evidence of Y in circumstances C,*" where X is some raw data or datum, Y is a proposition that X evidentially supports, and C are the circumstances in which X and Y stand in this relation of evidential support.

"Testimony counts as evidence of propositions asserted by the testifier when offered by

honest testifiers" is an instance of this form,¹³ as is the expression "*Visual perceptions count as evidence of propositions about external objects in ordinary perceptual circumstances.*"

Individuals will, of course, have many such dispositions, since none of the individual dispositions will themselves be general enough to account for all the various data that we encounter in the course of everyday life. There are a few things we can say about the collection or set of these dispositions, then, that will be of interest throughout the remainder of this paper. The first thing is that it appears to be a requirement of rationality that this set of dispositions is coherent; that is, an agent would be irrational if she held two conflicting dispositions. How can dispositions come into conflict? There are two ways. Consider first two dispositions that conflict *in principle*: 1) the testimony of experts count as evidence of that to which they testify in normal circumstances, and 2) the testimony of experts count as evidence of the negation of that to which they testify in normal circumstances. Of course, no one would ever hold two dispositions so blatantly contradictory, but there are subtler ways for dispositions to conflict in principle, and this is one way in which the set of our evidential dispositions could come into conflict.

The second way that evidential dispositions can come into conflict is best illustrated by means of an example. Consider two very basic dispositions: 1) the testimony of my close friends counts as conclusive evidence regarding which events have happened in the world, and 2) nothing counts as evidence if it conflicts with the basic physical laws of nature. Now, if I have both of these evidential dispositions,

¹³ Of course, there will be some other reasonable *ceteris paribus* conditions at work in this and other such dispositions (i.e. "*and the testifier is not drunk or tired or under extreme duress,*" etc).

and a close friend of mine comes rushing up to me to testify that a physically impossible event has just occurred, I am faced with a new sort of conflict (one distinct from the conflict offered above). In this case, the conflict is not in principle between the two dispositions (I could have gotten through life without my friend ever having testified that such an event occurred), but it arises because two of my dispositions suggest incompatible evidential interpretations of the data that I have.

We will have more to say about this second sort of conflict in the subsequent sections (and the role such conflicts play in determining the total set of one's evidential dispositions). For now, it is enough to recognize: 1) that individual evidential dispositions comprise a larger set in any actual agent, 2) that rationality requires certain relations to hold between dispositions in this set (and thus that the dispositions are ordered in particular ways), and 3) that this set will be determinate in any given agent (that is to say: this set will determine, for that agent and for any raw data, whether and in what ways that data ought to figure into her reasoning as evidence). In the next section, we will build on this understanding of evidential dispositions (and the sets which they comprise) in order to respond to the objections raised in the previous section this paper.

IV. Do Peerhood Conditions Rule out Peer Dispositional Disagreements?

Whether we take externalist conditions (such as reliability) or internalist conditions (such as possession of the relevant epistemic virtues) to be primary in questions of who is to count as standing in the peerhood relationship, this much is clear: epistemic peerhood is a relationship predicated on parity of agents' epistemic

ability.¹⁴ Specifically, what we talk about when we talk about peerhood is whether or not two individuals are generally in a position to evaluate evidence equally well. This general fact about how peerhood is often defined, however, might give rise to a concern about my distinction between dispositional and calculative disagreements.

Suppose we grant that *some* disagreements can be grounded in the possession of different evidential dispositions. We might still think that disagreements between epistemic peers, *qua* peers, could never be grounded in differences of evidential dispositions. This is a form of the second objection that I raised in section two. The objection gains traction because it is prima facie plausibly a condition of epistemic peerhood that the agents share evidential dispositions. According to this objection, I might disagree with someone who takes inexplicable lights to be evidence of a UFO, but that is only possible because that person is poorly evidentially disposed; if they were my epistemic peer, this disagreement would fail to arise because they would not be disposed in this way. The argument for this objection might look something like this:

1. Two people are epistemic peers only if they share the relevant evidential dispositions
2. If this is the case, then dispositional disagreements cannot arise between epistemic peers

¹⁴ With this claim I believe that my critique can remain agnostic as to which conditions, externalist or internalist, are ultimately primary in considerations of peerhood, and in much the same way that Christensen and others remain agnostic by suggesting that peerhood obtains in certain cases by pointing out in cases where “when we’ve disagreed in the past we each been right equally frequently” (see *Mental Math* above (Christensen, 2011)). Here, Christensen points to reliability, a condition all parties will agree is necessary for peerhood, but does not decide whether the disputants are peers *because* of this reliability, or whether the reliability is a manifestation of the relevant epistemic virtues. In a similar way, I believe that my claim is ecumenical across the most frequently cited definitions of peerhood.

3. Thus, dispositional disagreements will not arise between epistemic peers. The idea here is that, if predication of peerhood requires disputants to share evidential dispositions, then the type of disagreement that I think epistemologists of disagreement should consider just won't ever arise for epistemic peers.

But the first premise of this argument is false. This is because, however we interpret "relevant evidential dispositions," the set of an agent's evidential dispositions (her "dispositional set" as I will call them) is never wholly determined by that agent's epistemic abilities. Thus, epistemic peers, i.e. agents of equal epistemic ability, can fail to share the "relevant evidential dispositions," and premise one is false.

According to the objection, in order for two agents to be epistemic peers, they must possess identical sets of relevant evidential dispositions. We could read this as a very strong claim: no two agents whose sets include even a single different evidential disposition can be considered epistemic peers. But, this is surely too strong.¹⁵ More charitably, let's interpret the "relevant evidential dispositions" to mean the set of evidential dispositions relevant to the disagreement at hand. Though this is a weaker claim, it is still an implausible condition on epistemic peerhood. Here are a few reasons why.

First of all, rational changes to the set of one's evidential dispositions cannot always be made on the basis of evidence. This is because evidential dispositions, and

¹⁵ I live in Minnesota, and have all my life. As a consequence, I possess an evidential disposition regarding what sorts of data about the weather indicate that there is about to be heavy snowfall. When I meet an Arizonan who disagrees with me about whether or not I have just made a logically invalid inference, the fact that my dispositional set includes dispositions about what data counts as evidence of an impending blizzard will surely not disqualify us as epistemic peers with regards to the question at hand, even if she, having never experienced significant snowfall, fails to have any dispositions regarding this sort of data.

the sets they comprise, are determinate about what is to count as evidence in the first place. But if any such changes can come about without requiring the agent to engage in the evaluation of evidence, then, since the exercise of one's epistemic abilities just consists in such evaluation, that agent's dispositional set cannot be wholly determined by her epistemic abilities. Consider an instance of this type of change.

Consider an instance of such a change.¹⁶ Suppose, for simplicity's sake, that the relevant subset of my evidential dispositions is just twofold: (1) *propositions that my friends assert are infallibly true*, and (2) *propositions of physically impossible phenomena are all infallibly false*. Now, suppose my friend comes up to me and asserts the following proposition: "I can breathe underwater." According to (1), this proposition is to count as evidence that my friend really can breathe underwater (a physically impossible phenomenon). According to (2), however, I ought to believe that this is proposition false (and, thus, that my friend really can't breathe underwater). My dispositions here underdetermine how I should account for this piece of potentially evidentially significant data. Given the plausible assumption that rationality will require our evidence to be coherent (i.e. that I cannot simply account for this data by considering it to be decisive evidence for incompatible propositions) I may well be required to make a change in the relevant subset of my dispositions. *How* I should change my dispositions, however, cannot be determined by the evidence, since it is how the data is supposed to count as evidence in the first place that has been called into question. But if the manner in which I change my

¹⁶ I owe the general structure of this argument to Michael Rea. See the Introduction of (Rea, 2004).

dispositional set cannot be determined *on the basis of evidence*, then whatever change is ultimately made will not be determined by my epistemic abilities. And if peerhood is just predicated on parity of epistemic ability, then one's dispositional set will not determine whether or not two agents stand in the relationship of peerhood.¹⁷

Secondly, consider the fact that we seem to acquire certain (perhaps all¹⁸) of our evidential dispositions non-evaluatively. That is to say, as a child I came to consider the noises in my house at night as data that was not evidentially indicative of danger. Most likely this is because my parents, a source of authoritative knowledge at that point, simply asserted that over and over. More recently, I have come to be convinced violence to pre-theoretical intuitions is good evidence that a metaphysical view is false. This disposition, too, is more likely the result of a desire to be a member of the local discourse community that I find myself part of, and less likely the result of the exercise of any of my epistemic abilities.

Consider the following example, originally used by Kelly in a radically different context, offered by G. A. Cohen. According to Kelly, Cohen "notes that the Oxford trained philosophers of his generation are almost unanimously of the

¹⁷ I can see how the objector could reply to this point in the following way: "Okay, perhaps epistemic peerhood doesn't depend on sharing evidential dispositions – but surely there is some *most rational* way of evaluating how you ought to change in the above case (on pain of epistemic relativism). Whatever characteristics determine whether or not you respond correctly in that way, then, *those* are required for predications of epistemic peerhood." I am sympathetic to this argument. In fact, I think it is true. But I have already shown enough to defend myself from the objection that was raised. If there are other, perhaps non-epistemic, characteristics that agents must share in order to be considered epistemic peers, we will need to spell these out in a way that has not as yet been considered in the literature. Considering what these other characteristics would be, then, is one way in which my distinction could require us to reorient the literature on disagreement.

¹⁸ For a parallel argument see (Rea, 2004).

opinion that there is a philosophically important distinction between analytic and synthetic truths.” (Kelly, 2010; 38) According to Cohen, though

...people of my generation who studied philosophy at Harvard rather than at Oxford for the most part *reject* the analytic/synthetic distinction. And I can’t believe that this is an accident. That is, I can’t believe that Harvard just *happened* to be a place where both its leading thinker rejected that distinction and its graduate students, for independent reasons—merely, for example, in the independent light of reason itself—also came to reject it. And vice versa, of course, for Oxford. I believe, rather, that in each case students were especially impressed by the reasons respectively for and against believing in the distinction, because in each case the reasons came with all the added persuasiveness of personal presentation, personal relationship, and so forth (p.18, emphasis is his).

For our purposes, though, it is most remarkable to note how unlikely it is that the disagreement between the Oxford and Harvard trained philosophers had anything at all to do with epistemic ability. It would be incredible to suppose either: a) Oxford or Harvard philosophers of Cohen’s generation were systematically prone to calculative error regarding whether to accept the analytic/synthetic distinction, or b) the difference in evidential dispositions responsible for whether or not such a philosopher was disposed favorably toward the distinction was due (directly or indirectly) to epistemic ability. Probably these dispositions (i.e. to reject or accept this distinction) didn’t have the slightest thing to do with the epistemic abilities of

those involved. Probably they had to do with the non-epistemic elements Cohen cites (i.e. “the added persuasiveness of personal presentation, personal relationship, and so forth”).¹⁹ Even if this stronger claim is not true, however, all that is necessary for our purposes is that the disagreement in question is both epistemically significant, and not grounded on obvious epistemic disparities.

Because any given agent’s dispositional set will not be determined by considerations of epistemic ability alone, and because we can think of clear instances of epistemically significant dispositional disagreement need not involve epistemic disparities, I believe that the objection raised in this section fails. For all we have shown, then, dispositional disagreements can be epistemically significant, and views that fail to consider them as such will be incomplete to this extent. In the next section, I will present the views of Kelly and Christensen, so that we can then consider in section VI whether their views will be suited to deal with dispositional disagreements.

V. Kelly’s Steadfast View and Christensen’s Conciliationism

In the introduction, I sketched two simplistic responses to the problem of disagreement in order to illuminate an important feature of the dialectic of my paper. Here, I want to consider two actual positions that fall within the broad categories that I introduced there. By arguing, over this section and the next, that neither of these positions takes seriously my distinction between calculative and

¹⁹ Whatever is at work in this case is likely to be at work in a number of other cases that we pre-theoretically take to be instances of epistemically significant disagreement: metaphysicians of various schools frequently disagree uniformly over whether and which types of intuitions we ought to take seriously, adherents to specific faith traditions often defend uniquely difficult doctrines against their opponents and systematically disagree about what parts of shared doctrine and scriptures count as evidence. Etc.

dispositional disagreements (which I have now independently motivated), I hope to show why an alternative resolution to the main tension within the literature will put us in a better dialectical position.

Here's the way that Christensen characterizes the general state of the literature with respect to the two views that I will present in this section:

Subtleties aside, a look at the topography of the disagreement debate reveals a major divide separating positions which are generally hospitable to maintaining one's confidence in the face of disagreement, and positions which would mandate extensive revision to our opinions on many controversial matters...The fundamental theoretical difference between these two camps, it seems to me, lies in their differing attitudes toward evaluating the epistemic credentials of opinions voiced by people with whom one disagrees. (Christensen, Conciliationism 1)

Within this framework, Kelly's account is of the sort "generally hospitable to maintaining one's confidence in the face of disagreement," while Christensen's would "mandate extensive revisions." Following Christensen let's call Kelly's account "the steadfast view" (or just *Steadfast*) and Christensen's "the conciliatory view" (*Conciliationism*). Before considering how these views differ, let's briefly consider some broad similarities.

Both views agree that disagreement generally constitutes "higher-order evidence" when it is between evidence-sharing peers. The idea here is that if two people of equal epistemic abilities evaluate the same "first-order" evidence (e.g.

meteorological or arithmetic data), they should come to the same conclusion. When they don't, they both have some (higher-order) evidence that they have committed an epistemic error. Compare the case of peer disagreement to cases of instrumental failure (as many epistemologists do²⁰): when our (historically equally reliable) watches read different times, you and I each have some reason to believe that "it is *my* watch that is malfunctioning."²¹

Here is Kelly's helpful characterization of higher-order evidence and its epistemic function in disagreement:

Given that reasonable individuals are disposed to respond correctly to their evidence, the fact that a reasonable individual responds to her evidence in one way rather than another is itself evidence: it is evidence about her evidence. That is, the fact that a (generally) reasonable individual believes hypothesis H on the basis of evidence E is some evidence that it is reasonable to believe H on the basis of E. The beliefs of a reasonable individual will thus constitute higher-order evidence, evidence about the character of her first-order evidence. (Kelly, Epistemic Significance of Disagreement 23-24)

Put simply: when a known peer of mine disagrees about some question despite the fact that we share evidence, her disagreement (given that she is my peer and, thus, equally likely to properly evaluate the evidence) serves as higher-order evidence

²⁰ For instance (Kelly, 2005) and (Kelly 2010). For potential problems with this analogy see (Kelly 2010), (White, 2009), and (Enoch, 2010).

²¹ Or, if there is a significant difference, perhaps we have evidence that "either my watch or your watch is malfunctioning." The important point here is that we both have some evidence, now, that a malfunction has occurred, and that this malfunction ought to figure into our reasoning process. Thanks to Cory Davia for clarifying this point, and several others throughout the paper.

that I have made a mistake, just as my disagreement serves as higher-order evidence for her that she has made a mistake.

This, then, is where the accounts – and the camps they represent – agree: disagreement is epistemically significant insofar as it serves disagreeing peers as higher-order evidence of their own epistemic failure.²² Here is the question that we will pursue in the remainder of this section: what is, in Christensen’s words, the “fundamental theoretical difference between the two camps?”

In order to illuminate the difference between *Steadfast* and *Conciliationism*, consider how we determine who our epistemic peers are. If I find you consistently arguing for outlandish positions on the basis of, what appears to me to be, extremely basic logical fallacies, I will refuse to recognize you as my epistemic peer. Similarly, if our disagreements are almost always eventually resolved in your favor, I might come to see you as an epistemic superior rather than as my peer. Clearly, then, past disagreements will figure as evidence when I consider whether or not you and I are epistemic peers (and, thus, what I ought to do in light of the fact that you and I currently disagree). The basic question dividing *Steadfast* from *Conciliationism*, then, is whether our *current* disagreement can itself count as evidence when we are “evaluating the epistemic credentials of opinions voiced by people with whom one disagrees” (Christensen, 2011).

²² Consider this representative quote from Christensen: “Sometimes, however, evidence rationalizes a change of belief precisely because it indicates that my former beliefs were rationally sub-par. This is evidence of my own rational failure. If I learn that I’ve been systematically too optimistic in my weather predictions, I may also be rationally required to decrease my credence in fair weather tomorrow. But in this case, the indication that my former beliefs are suboptimal is no mere byproduct of my reasoning about the weather. What I learn bears on meteorological matters only via indicating my rational failings...” (Christensen, 2010).

Steadfast theorists answer this question affirmatively: if you and I have generally agreed in the past (and, overall, seem equally reliable), but suddenly find ourselves disagreeing as to whether or not the earth is flat, it would be perfectly permissible, according to the *Steadfastian*, for me to demote you from epistemic peerhood on this basis. *Conciliationists*, on the other hand, require adherence to the strict principle that questions of peerhood must be considered *independent* of the disagreement at hand. This principle, simply referred to as *Independence* in the literature, has become the sticking point between these two general positions.²³

Let me conclude this section with two reasons why it makes dialectical sense to focus on the views of Kelly and Christensen in this paper: 1) their exchange is clear and rigorous, and has been profoundly influential in the literature on disagreement.²⁴ 2) It is often thought that these views stand at opposite ends of a spectrum representing the logical space that it is possible for accounts of disagreement to inhabit.²⁵ Generally speaking, then, problems that affect both of these accounts are likely to be problems for the literature at large.

²³ See (Christensen, 2011) for a more detailed treatment of the centrality of *Independence*, which he formalizes as: "In evaluating the epistemic credentials of another person's belief about P, to determine how (if at all) to modify one's own belief about P, one should do so in a way that is independent of the reasoning behind one's own initial belief about P." For other treatments of *Independence* see (Kelly, 2005) and (Feldman, 2006).

²⁴ Kelly's 2005 paper on disagreement is often thought to be seminal to the contemporary debate, and Christensen offers the broadest treatments of conciliatory views.

²⁵ "Contemporary responses to this issue may be roughly arrayed along a spectrum. At one end are views on which the disagreement of others should typically cause one to be much less confident in one's belief than one would be otherwise – at least when those others seem just as intelligent, well-informed, honest, free from bias, etc. as oneself. Following Elga (forthcoming), I'll label this the 'Conciliatory' end of the spectrum. At the other end are views on which one may typically, or at least not infrequently, maintain one's confidence in the face of others who believe otherwise, even if those others seem one's equals in terms of the sorts of qualifications listed above. Let us call this the 'Steadfast' end of the spectrum." (Christensen, Disagreement as Evidence) And Kelly: "We might picture these possibilities as constituting a spectrum: at one end of the spectrum sits The Equal Weight View; at the other end, The No Independent Weight View; in between, the more moderate alternatives, arranged by how much weight they would have one give to the opinion of a peer relative

VI. How the Literature has Excluded Dispositional Cases

It is my purpose in this section to show that Kelly and Christensen are both committed to the claim that the epistemology of disagreement is solely concerned with calculative disagreements. I will argue directly for this conclusion by considering a presupposition endorsed by both philosophers that is incompatible with the epistemic significance of dispositional disagreements. I will also argue for this claim indirectly by pointing out that every case offered within their exchange is an instance of a calculative disagreement.

According to Kelly:

It is a presupposition of the issue under discussion that we are fallible with respect to our ability to correctly appreciate our evidence. Of course, reasonable individuals are disposed to respond correctly to their evidence. But even generally reasonable individuals are susceptible to making mistakes on particular occasions. (Kelly, 2005)

This presupposition, by itself, does not entail the claim that I am arguing for here. It would if he had specified that the “mistakes” manifesting the “fallibility” of “generally reasonable individuals” were calculative in principle, but since Kelly (along with the majority of contemporary epistemologists) fails to recognize a distinction between calculative and dispositional mistakes, he does not clarify which kind of mistake (and thus what kind of epistemic fallibility) is being presupposed in discussions about disagreement.

to one’s own. The more weight one is required to give to a peer’s opinion relative to one’s own, the more the view in question will resemble The Equal Weight View; the less weight one is required to give, the more it will resemble The No Independent Weight View.” (Kelly, 2010)

We do, however, get a clearer picture of the sort of fallibility that Kelly has in mind when he claims that:

In principle, we ought to be able to give due weight to the available reasons that support a given view, even in the absence of actual defenders of the view who take those reasons as compelling. But in practice, the case for a view is apt to get short shrift in the absence of any actual defenders...But the case for a given view itself is no stronger in virtue of the fact that that view has actual defenders
(Kelly, 2010)

Here, in addition to making the claim that disagreement provides a type of higher-order evidence that does not essentially involve the disagreement (after all, we could just as easily get evidence of our calculative error by considering math problems more carefully, or by using a calculator to check our work), Kelly is committing himself to the claim that epistemically significant disagreements cannot, in principle, be dispositional. Here is a formalized argument to support this claim:

1. According to Kelly, we ought to be able, in principle, to give due weight to all of the evidence relevant to questions that ground epistemically significant disagreements without ever having encountered any peers that actually disagree with us
2. It would be impossible to give due weight to all of the evidence relevant to questions that ground epistemically significant disagreements without ever having encountered any peers that actually disagree with us if such a disagreement were dispositional

3. Thus, according to Kelly, dispositional disagreements are not epistemically significant

Let's consider the second premise of this argument. It seems plausible that, in cases of mere calculative disagreement, we ought to be able to give the evidence its weight all by ourselves. In *Mental Math*, I could have done the math problem much more slowly, checked and double-checked my answer, and written out my work to be sure that I didn't make a mistake. Surely practical considerations will prevent us from *actually* giving due weight to all of our evidence when it comes to questions of calculative disagreement, but that doesn't mean that we couldn't have done so *in principle*. Now consider how things are different with respect to dispositional disagreements. If you and I possess different dispositions toward some body of evidentially significant data, it doesn't matter *how* carefully I am regarding my evaluation of the data, I will never actually be able to anticipate the disagreement without reference to your particular disposition.

In Christensen's case, it is easier to see how the presuppositions that he formulates for the discussion of disagreement rule out dispositional disagreement as evidentially significant. Conciliationism, Christensen says:

[Conciliationism] begins with two thoughts: that the peer's disagreement gives one evidence that one has made a mistake in interpreting the original evidence, and that such evidence should diminish one's confidence in P. (Christensen, 2011)

Mistakes in how one "interprets evidence" presuppose shared evidential dispositions. To further illustrate Christensen's commitment, consider his

characterization of the sort of failures evidenced by the higher-order evidence disagreement affords:

Sometimes, however, evidence rationalizes a change of belief precisely because it indicates that my former beliefs were rationally sub-par. This is evidence of my own rational failure. If I learn that I've been systematically too optimistic in my weather predictions, I may also be rationally required to decrease my credence in fair weather tomorrow. But in this case, the indication that my former beliefs are suboptimal is no mere byproduct of my reasoning about the weather. What I learn bears on meteorological matters only via indicating my rational failings... (Christensen, 2010)

Rational failure here, as is suggested by the example offered, means calculative error. And if there is any doubt about this, we need only consider the cases of disagreement that Kelly and Christensen consider.

I will leave it to the skeptical reader to actually consider each of the examples offered by Kelly and Christensen (and by epistemologists of disagreement generally). But I do not think that it will be difficult to identify every single one of these cases – disagreements about the winner of a horse race, disputes about restaurant bills, differences in what hypothesis some body of evidence confirms – are all instances of calculative disagreement. Indeed, I think that the problem I am critiquing here probably originally arose because of the obvious epistemic parity at work in cases of calculative disagreement, and in the consequent uniform selection of such cases by epistemologists.

In the next section, I will argue that the disagreement between *Steadfast* and *Conciliationism* is itself a dispositional disagreement. This is because *Independence* is a principle about what is supposed to count as evidence in the first place (and is, thus, an expression of an evidential disposition), and because *Independence* is what grounds the disagreement between the two views. Since, as we have just seen, Kelly and Christensen do not take their accounts to apply to dispositional disagreements, this result will be problematic for the two thinkers.

VII. *Independence and the Dispositional Disagreement about Disagreement*

Independence is the explicit expression of an evidential disposition. It is also what grounds the disagreement between *Steadfast* and *Conciliationism*. Roughly, *Independence* is the rejection of a disposition regarding what gets to count as evidence for or against peerhood. *Steadfast* theorists accept this disposition (and thus deny *Independence*) and *Conciliationists* reject it (by accepting *Independence*). This disposition claims: *all disagreements (past and present) counts as evidence of peer disparity between potential peers.*²⁶ *Independence* claims that not *all* disagreements count as evidence of peer parity/disparity, but that only disagreements between peers *independent* of the disagreement presently under consideration are evidentially significant in this way.

Thus, the disagreement between Kelly and Christensen *about* disagreement is itself a dispositional disagreement. This means that if the argument I will make in the next section is sound, neither *Steadfast* nor *Conciliationism* will apply to the

²⁶ That current disagreements between potential peers are to be included as evidence in considerations of peer disagreement is, no doubt, what leads Kelly to characterize his view as the "Total Evidence View." *Conciliationism's* rejection of it is also why Christensen feels the need to respond to the objection that his view "...is throwing away evidence." (Christensen, 2011)

disagreement about disagreement. This is clearly a problem for these thinkers because they both consider the disagreement about disagreement to be within the scope of their theories.²⁷ If the views are unable to account for this disagreement, then they will be theoretically incomplete by Kelly and Christensen's own lights. While we might consider this conclusion quite limited, I will argue in the next section that there is problem for these views even if they concede that their accounts will not apply to the disagreement about disagreement.

VIII. Resolving the "Spinelessness" Tension: Controversial Disagreements Are Dispositional

We are now in a better position to appreciate how the distinction that I've been arguing for will resolve this tension, and in a way that is theoretically preferable to those on offer. But first, recall where we have come over the past couple section:

1. Epistemically significant disagreements can be either calculative or dispositional
2. Kelly and Christensen offer accounts committed to the claim that dispositional disagreements are not epistemically significant
3. The disagreement between Kelly and Christensen about disagreement, which they both take to be epistemically significant, is itself a dispositional disagreement
4. Thus, by their own lights, their accounts are incomplete insofar as they fail to consider dispositional disagreements

²⁷ See (Kelly, 2005; especially pages 31-33), and (Christensen, 2011).

Briefly, I'd like to consider the objection that Kelly and Christensen can simply bite the bullet on premise three, and concede that their accounts will fail to apply to their own disagreement while still maintaining that the accounts are theoretically complete.

Perhaps it will be claimed that the kind of disagreement that I illustrate in this paper, disagreements between epistemic peers grounded in different evidential dispositions, really are possible, but that this is no problem for the targeted views since these cases are outside of the scope of the disagreement they aim to explain. In the previous section I argued that the disagreement between Kelly and Christensen is itself a dispositional disagreement (and one to which they take their accounts to apply), but perhaps a way out for these philosophers is simply to give up the intuition that their accounts will apply to their own disagreement. Even if Kelly and Christensen admit that this instance of disagreement is outside of the scope of their analysis, however, there is good reason to think that this would lead to a vast revision of the disagreement literature. This can be illustrated by considering how the issue of "spinelessness" has been treated in the literature.

As I mentioned in the first section of this paper, "spinelessness"²⁸ is the inability to be epistemically confident in most (or perhaps any) of one's views. It has been argued that various positions, including *Conciliationism*, lead to spinelessness. The idea is this: if you are supposed to give roughly equal weight to peers who disagree with you, then, in light of the fact that there are many, many epistemic peers out there who actually disagree with you about positions you hold within a

²⁸ Spinelessness is considered by (Elga, 2007), (Kelly, 2010), (Christensen, 2007), and (Christensen, 2011).

wide range of topics, you will be rationally required to give up most of your beliefs.

Recall Elga's formulation of the worry:

The equal weight view then requires you to weigh each stance equally, along with your own. But that requires you to think, of each stance, that it is very unlikely to be right. Typically, it will follow that you ought to suspend judgment on the issue. Since it seems that you are in this circumstance with respect to a great many issues, the equal weight view requires you to suspend judgment on all of these. Do you have any convictions on controversial political, philosophical, or scientific matters? The equal weight view seems to say: kiss them goodbye. (Elga, 2007)²⁹

The salient feature of Elga's comments is the fact that political, religious, scientific, and philosophical disagreements are seen to be within the range of accounts of the epistemic significance of disagreement.³⁰ But surely at least *some* of these

²⁹ Here's Christensen defending conciliationism from a similar objection: "On the other hand, there are areas of morality, religion, politics, and economics, and, unfortunately, philosophy which are rife with disagreement. Why is this? It seems clear that disagreement flourishes when evidence is meager or poorly distributed, or when, due to our emotional or intellectual limitations, we are just not very good at reacting correctly to the evidence. In other words, disagreement flourishes when epistemic conditions are bad. To focus in on my own Field, I think that we all should acknowledge that epistemic conditions are not so great in philosophy." (Christensen, 2007c, 28) Note that he does not use the objection as an opportunity to disown these sorts of cases, or argue that they are outside of the scope of his analysis, instead he opts to spin the incredibly revisionary implications of his view in a more favorable light.

³⁰ There has been some concern, lately, that the scope of these views may be more limited than it was previously believed (see especially (Christensen, 2009; especially section 5.3)). I take it to be a strength of my position that it would make it clearer how views of disagreement, though they don't currently, could plausibly extend to such cases. If dispositional disagreements are as pervasive as I take them to be, and if they are as easily recognized as I have suggested, then spelling out the epistemic significance of disagreement in everyday life will be a matter of figuring out the extent to which higher-order evidence of fallibility with regards to our evidential dispositions requires belief revision. This will, presumably, be much more plausible a task than assessing the epistemic credentials of the numerous individuals with whom we disagree on a regular basis (something that has led to skepticism about the scope of views like *Steadfast* and *Conciliationism*).

disagreements (and, plausible, most or all of them) will be dispositional disagreements. That is to say, probably disagreements in religion will involve differences of evidential dispositions (e.g. you treat Scripture as authoritative and infallible evidence and I don't). The same goes for political and philosophical disagreements. At the very least, it is very implausible that all such disagreements are the results of the sort of *calculative error* that *Steadfast* and *Conciliationism* take to be primary in discussions of disagreement. But if these are to be considered within the range of epistemically interesting disagreement, we have to admit that these theories, in their present form, are incomplete.

Recall the tension introduced in the beginning of this paper. It was between the following propositions:

- (1) The proper response to the cases on offer is to dramatically reduce one's confidence in the original proposition
- (2) Most of my most confidently held beliefs are ones with which many evidence-sharing peers disagree
- (3) It would be irrational to go "spineless" with regard to these beliefs

Given the independent motivation for my distinction, it seems that the best way to resolve this tension is in the following way. First, (1) is true because the cases on offer are examples of "calculative disagreement," and dramatically reducing one's confidence might just be the appropriate epistemic response to such cases (though this is what Kelly and Christensen dispute). Secondly, (2) is true, but the cases that would make "spinelessness" a real threat are actually cases of dispositional disagreement, and such cases will need to be treated very differently than

calculative cases. This seems plausible enough (even if we don't yet know what the appropriate response to such disagreements would actually look like). And finally, (3) is true because, given our distinction and the assumption that calculative and dispositional disagreement will rationally require different epistemic responses, "spinelessness" no longer threatens to undermine the majority of our most confidently held beliefs. The tension is thus resolved.

Further, it seems that this resolution is theoretically preferable to any currently on offer. Elga's suggestion that epistemic peerhood between evidence-sharing agents is extremely rare seems primarily to be motivated by an attempt to allow his theory to avoid the objection of "spinelessness." If we don't need to take such an extreme position (and, given my distinction, we don't), we should avoid it. Kelly, on the other hand, would have to maintain that, in the majority of cases that would threaten "spinelessness," the balance of the evidence actually supports maintaining confidence in one's original belief. I see no reason to think this is true. Further, given my distinction, Kelly will have to argue how the "total evidence" can support one or another conclusion in disagreements between evidence-sharing, epistemic peers with different evidential dispositions. Is there an objectively most-rational way for those peers to construe the data (this seems improbable as it would seemingly amount to insisting that peerhood requires identity in evidential dispositions -- something I've argued against), or should we restrict cases of epistemically significant disagreement to cases where this is the case (again, this seems unmotivated). So, while I don't think that the distinction I'm drawing is

strictly incompatible with either conciliationism or steadfastianism, I take it that my analysis has shown these theories to be incomplete in a significant way.

IX. Conclusion

We may conclude from my analysis, then, that the discussion between *Steadfast* and *Conciliatory* theories of disagreement, at least insofar as they are represented by the accounts of Kelly and Christensen, are theoretically incomplete, and that this is a problem that many of the views arrayed along the “spectrum” between them share. It has been the purpose of this paper to recommend that epistemologists start recognizing the difference between dispositional and calculative disagreements, and examining the ways in which the rationally responses required by each differ. Significantly, the distinction that I purpose here suggests a way in which *disagreement* itself can provide (properly third-personal) considerations that one ought to figure into one’s deliberation. That is to say: dispositional disagreements, though I have not yet suggested how, may prove to be epistemically interesting *qua disagreement*, and they may show prove to be a distinctive, more social way in which we are required to deliberate. Perhaps this, then, is way of codifying my central concern in this paper: the worry of spinelessness (characterized as a threat to be defused at all costs) has obscured two major issues in the literature on disagreement: 1) the ways in which shallow and deep disagreements fundamentally differ, and 2) the ways in which we may be required to figure the higher-order evidence of disagreement into each. That is to say, perhaps another, more nuanced spinelessness worry looms just over the horizon. At this point we have not ruled it out. Taking seriously the distinction I’ve

purposed in this paper may show us new ways in which we are required to recognize our epistemic fallibility (and new forms of epistemic fallibility at that). While such “spinelessness” worries will not, no doubt, be the crude and implausible sort that arose based on our equivocal treatment of calculative and dispositional disagreements, they may very well illuminate new and interesting ways in which we depend on the epistemic faculties of others to rationally keep ourselves in check.

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