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The epistemic account of faultless disagreement

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Abstract There seem to be cases where A believes p, and B believes not-p, but neither makes a mistake. This is known as faultless disagreement. According to the (realist) epistemic account, in at least some cases of faultless disagreement either A or B must believe something false, and the disagreement is faultless in the sense that each follows the epistemic norm. Recently, philosophers have raised various objections to this account. In this paper, I propose a new version of the epistemic account and show how it can handle those objections.

There seem to be cases where A and B disagree on whether p is true, but neither make a mistake. Suppose both Olivia and Felicity are among the best experts on art and have carefully considered for a long time the issue whether Matisse is better than Picasso. Olivia believes that Matisse is better than Picasso, while Felicity thinks that Picasso is better than Matisse. Intuitively, though Olivia and Felicity disagree with each other, it may well be the case that neither make a mistake. This is known as faultless disagreement.[1]

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[1] The example of Olivia and Felicity is provided by Kölbel (2004) who seems to coin the term "faultless disagreement." Faultless disagreement is not unique to the domain of aesthetics. As Kölbel (2004, p. 53) notes, it also appears in domains such as "culinary or moral value, probability, justification of beliefs, and many others." Take the question whether eating meat is morally permissible. Suppose you think it permissible while your friend does not think so. It may well be the case that neither of you make a mistake.

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According to some philosophers (e.g., Schafer 2011; Hills 2013; Davis 2015), such a disagreement is faultless in the sense that both parties follow the epistemic norm though one of them must believe something false. Call this the epistemic account. However, this account has recently faced several objections. In this paper, after clarifying the basic idea of the epistemic account by contrasting it with alternative accounts (Sect. 1), I will propose a new version of the epistemic account (Sect. 2) and show how it can handle those objections (Sect. 3).

1 Preliminaries

The epistemic account entails semantic realism: in the case of a faultless disagreement where A believes that p and B believes that not-p, either of them believes something objectively false, that is, p is either objectively true or false. A proposition is objectively true in the sense that its truth does not depend on the context where the proposition p is asserted or evaluated. Hence, if p is true from A's perspective but false from B's perspective, then p is not objectively true or false. Given semantic realism, the disagreement between A and B is faultless in the sense that each of them is epistemically justified: each follows the epistemic norm perfectly. A and B disagree because following the epistemic norm perfectly does not always lead to truth.

By contrast, those who oppose the epistemic account reject semantic realism. They hold that in the case of a faultless disagreement where A believes that p and B believes that not-p, neither of them believe something objectively false. There are two possible ways in which neither A nor B believes something objectively false. First, p has no truth value. There are two reasons why p has no truth value:

(a)   It is because p does not express any propositions. For instance, when A claims that she believes that p, she merely expresses her own emotional attitude. Similarly, when B claims that she believes that not-p, she merely expresses her own emotional attitude. This view is known as non-cognitivism. Some philosophers (e.g., Clapp 2015) offer a non-cognitivist account of faultless disagreement.

(b)   P has no truth value because the truth value of p is indeterminate. Suppose p states that some person is bald. It is clear that some people (e.g., Patrick Stewart) are bald while some others (e.g., Adele Adkins) are not. But there might be some borderline cases where it is impossible to determine whether someone is bald, for, as Varzi (2001: 135) puts it, "our concept of baldness and our linguistic practices do not specify any exact number of hairs that marks the boundary between the bald and the non-bald." Given the vagueness of "bald," the proposition "some person is bald" is neither true nor false in a borderline case.[2] It is not incoherent to argue that all faultless disagreements are cases of indeterminacy, though few philosophers endorse or develop this view. Call it indeterminism.

Here is the other way in which one could think that neither A nor B believes something objectively false: p is true for A while not-p is true for B. This is

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[2] To be sure, not everyone thinks that there are such borderline cases. For example, Williamson (1994, p. 195) suggests that to say that a proposition is indeterminate in truth-value is not to say that it does not have a truth-value, but just to say that it has an unknowable truth-value.

because whether the sentence p is true depends on the context where the content of p is asserted or evaluated. There are two ways of how the truth of p might depend on such context:

(c) The sentence p means different things (or express different propositions) in different contexts. For example, what "I enjoy philosophy" means depends on who makes this assertion, for "I" is an indexical whose meaning can shift from context to context. When Parfit says "I enjoy philosophy", it means that Parfit enjoys philosophy. When Hawking says "I enjoy philosophy," it means Hawking enjoys philosophy. If Harking says "I do not enjoy philosophy," what he says does not contradict what Parfit says. Some philosophers hold that terms like "(aesthetically) better", "(morally) permissible", "delicious", etc. are also context-sensitive: they mean different things in different contexts. Thus, when Olivia says "Matisse is better than Picasso," and Felicity says "Picasso is better than Matisse," what Olivia says may not contradict what Felicity says. Rather, they can be both true. Call this view contextualism (cf. Harman and Thomson 1996; Prinz 2007).

(d) While p means the same thing (or expresses the same proposition) in different contexts (of use), it has different truth values in different contexts (of evaluation). Some philosophers deny that two sentences that mean the same thing must have the same truth value. They hold that the truth-values of certain expressions are context-dependent, not because these expressions mean different things in different contexts, but because their truth-values are relative to (say) standards of taste or moral standards. Thus, it is possible that ["Matisse is better than Picasso" means the same thing for Olivia and Felicity, but it is true according to Olivia's standard and false in light of Felicity's standard]. Call this view relativism (cf. Brogaard 2008; Kölbel 2004, 2009; MacFarlane 2007, 2014; Huvenes 2014).[3]

Thus, we may distinguish five accounts of faultless disagreement: the epistemic account, the non-cognitivist account, the indeterminist account, the contextualist account, and the relativist account. The first entails semantic realism while the other four involve semantic anti-realism.

Moreover, there might be hybrid accounts. For example, one might claim that some cases of faultless disagreement can be best explained in terms of the epistemic account while other cases can be best explained in terms of the indeterminist account. In fact, some philosophers who endorse the epistemic account (e.g., Schafer 2011; Hills 2013) make it explicit that there might be indeterminacy present in some cases of disagreement. Thus, in order to challenge the epistemic account, one must argue that the cases of faultless disagreement that the account aims to explain cannot be explained in terms of this account. In what follows, I will focus on the case where Olivia and Felicity disagree on whether Matisse is better than Picasso, since this is a paradigm case on which philosophers disagree. But I intend my analysis of this case to apply to similar aesthetic cases and some moral cases, such as whether it is morally permissible to eat meat.

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[3] Different philosophers use "contextualism" and "relativism" in different senses. For example, what I call contextualism is sometimes referred to as "appraiser relativism" or "speaker relativism." What I call "relativism" is sometimes referred to as "non-indexical contextualism" or "perspectivalism."

Philosophers generally agree that a correct account of faultless disagreement should respect two intuitions: (i) the two parties involved do disagree with each other; (ii) neither of them are at fault. It has been argued that while the epistemic account perfectly respects (i), it fails to accommodate (ii). In contrast, it has also been argued that while anti-realist accounts (i.e., the four rival accounts mentioned above) can nicely explain (ii), they fail to respect (i).

In what follows, I will defend the epistemic account against various objections that attempt to show that it cannot accommodate (ii). First, I will propose a new version of the epistemic account in terms of what I call "optimum justification." Then I will explain how this version can handle those objections.

2 An epistemic account in terms of optimum justification

The core idea of the epistemic account is that a disagreement is faultless in the sense that the two parties involved are both epistemically justified (i.e., following the epistemic norm) in holding their beliefs. There are many senses in which one is justified in believing a certain proposition. For example, some philosophers (Cf. Feldman 1988; Goldman 1988; Greco 2010) distinguish between the following two senses of justification:

J1: S is justified in believing that p just in case S is epistemically blameless in believing that p.[4]

J2: S is justified in believing p if and only if S is epistemically blameless, and S's belief is produced by a reliable process.

J1 and J2 are different, for one might be J1 justified, without being J2 justified, in believing p. For example, the victim of an evil demon may be epistemically blameless, though her belief-forming process is unreliable to the greatest extent.

According to an influential understanding of reliable process, a belief-form process is reliable if it tends to produce more true beliefs than false beliefs (i.e., the truth-ratio or reliability is greater than 50%). If the reliability of a process is 80%, and the reliability of another process is 60%, then both are reliable, and the former is more reliable than the latter. So we may further distinguish between the following three senses of J2:

J3: S is justified in believing p if and only if S is epistemically blameless, and S's belief is produced by a reliable process, even though there is reason to believe that the reliability of S's belief-forming process can be improved in the future.

J4: S is justified in believing p if and only if S is epistemically blameless, S's belief is produced by a reliable process, and there is no reason to believe that the reliability of S's belief-forming process can be improved in the future.

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[4] In this paper, I appeal to an intuitive understanding of epistemic blamelessness. For a detailed account, see Greco (2010, p. 43).

J5: S is justified in believing p if and only if S is epistemically blameless, S's belief is produced by a reliable process, and the reliability of S's belief-forming process cannot be improved *in principle*.[5]

The reliability of a belief-process can be improved in two ways: (a) via improving the inputs of the process (I shall call the inputs "information"), and (b) via improving the method the agent employs to handle the information. Hence, J4 implies that S is justified in believing p if and only if S is epistemically blameless, S's belief is produced by a reliable process, and there is no reason to believe that S's information about p will be expanded in the future or that the method S employs to handle the information can be improved in the future. Call this kind of justification "optimum justification." J5 is clearly stronger than J4 because even if there is no reason to believe that the reliability of S's belief-forming process can be improved, it does not follow that its reliability cannot be improved in principle. Call J5 "ideal justification."

Two individuals who disagree with each other can be both optimally or even ideally justified. If one is optimally justified, then one's belief is produced by a reliable process, and there is no reason to believe that the reliability of one's belief-forming process can be improved, but it is still possible that the reliability of the process is less than 100%. If one 's belief is produced by a process that is not 100% reliable, then the belief might be false. Thus, it is possible that [A believes p, B believes not-p, and both A and B are optimally justified]. For similar reasons, it is also possible that [A believes p, B believes not-p, and both A and B are ideally justified].

Given the above distinctions, there can be four different versions of the epistemic account: it can be formulated in terms of either J1, or J3, or J4, or J5 (J3, J4, and J5 are three versions of J2). In the recent literature some philosophers (e.g., Schafer 2011; Hills 2013) seem to endorse the J1 or J3 epistemic account while others (e.g., Davis 2015) appear to defend the J5 version. However, neither J1 nor J3 can help handle some major objections to the epistemic account, or so I shall argue. Nor is J5 a good candidate for the epistemic account, for it cannot help us explain our intuition that some disagreements like the one between Olivia and Felicity may well be faultless. To show that a disagreement is faultless in terms of J5, we must show that the reliability of the belief-forming process of each party cannot be improved in principle. But it is difficult to see why the reliability of Olivia or Felicity's belief-forming process cannot be improved in principle.

Thus I submit that the epistemic account of faultless disagreement is best understood in terms of J4 or optimum justification:

The disagreement between A and B is faultless just in case A believes p while B believes not-p, and both A and B are optimally justified in holding their beliefs.

The main goal of this paper is not to compare and contrast different versions of the epistemic account, however. Rather, it is to explicate the J4 epistemic account and show how it can handle the major objections to the epistemic account in the recent literature (though along the way I will explain how J4 can better deal with some objections to the epistemic account than J1 and J3).

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[5] Clearly, there a time index to each sense of justification. For it is possible that one might be unjustified at Time T1 but become justified at Time T2.

Before ending this section, I'd like to clarify the J4 epistemic account further by employing it to explain our intuition that the disagreement between Olivia and Felicity *may* well be faultless. (It is worth noting that the intuition to be explained is not that the disagreement *is* faultless.) According to the J4 epistemic account, we have this intuition because Olivia and Felicity may well be both J4 or optimally justified. First, given that both Olivia and Felicity are among the best experts on art and have carefully considered for a long time the issue whether Matisse is better than Picasso, it may well be the case that both are epistemically blameless.

Further, both Olivia and Felicity's belief-forming processes may well be generally reliable. While Olivia and Felicity disagree on this issue, there are a lot of aesthetic issues on which they would agree. For example, they would agree that both Matisse and Picasso are great artists, that both Matisse and Picasso's paintings are better than George W. Bush's, that some of Matisse's paintings are better than some other paintings by Matisse, etc. When they agree, it is likely that their opinion is true, since they are among the best art experts who have investigated Matisse and Picasso's paintings for many years. So their belief-forming processes with regard to aesthetic issues (concerning Matisse and Picasso) may well be generally reliable.[6] However, it is likely that Olivia and Felicity's belief-forming processes are not perfectly reliable, for they disagree on whether Matisse is better than Picasso (and perhaps some other similar issues), and one of them must hold a false belief.

Moreover, there seems no reason to believe either Olivia or Felicity's belief-forming process can be improved in the future. Since they are among the best experts on art and have carefully considered the issue for a long time, it is likely that each has all the relevant information that is publically available at the moment (such as the techniques and materials Matisse and Picasso used, the historical contexts of their works, critics' opinions of their works, and so on), and each may well handle their information in one of the best ways known to us. Given that both Olivia and Felicity already know so much about Matisse and Picasso, it is difficult to imagine what kind of new information, if acquired by them, would make their belief-forming processes more reliable. To be sure, they may acquire more information about Matisse or Picasso in the future (e.g., Picasso created a certain portrait merely for the sake of pleasing a lady[7]). But it is unclear whether the new information would be relevant to the issue. Also, there is no reason to believe that the method Olivia or Felicity employs to handle the information can be improved in the future. Indeed, it is difficult to imagine what a better method would look like. Additionally, there are similar aesthetic issues that experts have investigated for hundreds of years, but there are still wide-spread disagreements among them, and little progress has been made: it is unclear that contemporary experts are more likely to be right than their predecessors.

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[6] Some might think that the relevant belief-forming process in question is the specific process that produces beliefs about whether Matisse is better than Picasso. Here I will simply assume that the relevant belief-forming process in question should be understood in a broad sense: it is concerning aesthetic issues in general or at least various aesthetic issues with regard to Matisse and Picasso. And I will not address the generality problem for reliabilism in this paper.

[7] It has been revealed that Picasso kept portraits of the key women he enjoyed relationships with until the end of his life.

To wrap up, in the case of the disagreement between Olivia or Felicity, it may well be the case that both are epistemically blameless, that their beliefs are produced by reliable processes, and that there is no reason to believe that the reliability of their belief-forming processes can be improved. Hence, both Olivia or Felicity may well be optimally justified in holding their beliefs. That is why we have the intuition that the disagreement between them may well be faultless.

3 Objections and replies

In this section, I will consider several objections to the epistemic account and show how they can be handled by the version of the epistemic account I proposed above. As I have noted in the beginning, philosophers generally agree that a correct account of faultless disagreement should respect two intuitions: (a) the two parties involved do disagree with each other; (b) the two parties are both faultless. Those who oppose the epistemic account argue that it fails to accommodate the intuition (b). Each of the four objections I will address appeals to a peculiar interpretation of the intuition (b). Whether an interpretation of this intuition is plausible partially depends on which case we are considering. Again, my discussion will focus on the paradigm case where Olivia and Felicity disagree on whether Matisse is better than Picasso.

3.1 The objection from switching methods

One might object that the J4 epistemic account is implausible because it cannot explain why (b1) it would be a fault for each of the two parties in a faultless disagreement to change their belief, but (b) entails (b1) according to the correct interpretation of (b).[8] Specifically, the objection goes as follows:

1. If the disagreement between Olivia and Felicity is faultless, then (i) they must share exactly the same information, and (ii) the methods they employ to handle the information must be equally good.
2. If (i) and (ii), then both of Olivia and Felicity may still be J4 justified if they switched methods, and each formed the belief that the other initially has.
3. Therefore, according to the J4 epistemic account, if the disagreement is faultless, then it would not be a fault for both of them to change their belief.
4. But the claim that (b) the disagreement between two parties is faultless entails that (b1) it would be a fault for both of them to change their belief.
5. Thus, the J4 epistemic account is false.

However, this objection is unforceful, for it is far from clear that Premise 1 is true: the two parties in a faultless disagreement do not necessarily share exactly the same information. It is intuitively plausible that if the disagreement between Olivia and

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[8] Kölbel (2004, p. 54) thinks the disagreement between Olivia and Felicity is faultless at least in the following two senses: (b1) each has exactly the view they ought to have, and for both of them changing their belief would constitute a mistake; (b1') there is nothing either of them could learn so that it would make it recommendable for them to change their mind. (b1) seems to entail (b1'). So if an account can accommodate (b1), it can also accommodate (b1').

Felicity is faultless, then each of them has all the relevant information that is currently available, and there is no reason to believe that either Olivia or Felicity's information can be expanded in the future. Still, they might not share exactly the same information. For not all information is publically available. For example, when Olivia and Felicity observe Matisse's paintings, what Olivia perceives may well be different from what Felicity perceives. Call what one perceives "sensory experience" (here I use "sensory experience" in a broad sense such that aesthetic experience is a kind of sensory experience). Sensory experience is a kind of information, but it seems private: one cannot access another's sensory experience. To be sure, one can describe one's sensory experience to a certain extent, and others can learn one's sensory experience by one's description. But there might be something about one's sensory experience that cannot be described in any way.[9] Now suppose further that while Olivia and Felicity do not share exactly the same information, each employs a reliable method to handle the information she has, and there is no reason to believe that the method can be improved in the future.[10] Moreover, they are equally likely to be correct. Then intuitively, the disagreement between them is faultless. If this intuition is true, then Premise 1 is false.

However, one might say even if Premise 1 is false, it is possible that

D: the disagreement between Olivia and Felicity is faultless, they share exactly the same information, and the methods they employ to handle the information are equally good.

One might object that the J4 epistemic account cannot accommodate this possibility. For if D, then both of Olivia and Felicity would still be J4 justified if they switched methods, and each formed the belief that the other initially has. That is, according to the J4 epistemic account, if D, it would not be a fault for both of them to change their belief. But D entails that it would be a fault for both of them to change their belief, as Premise 4 of the above objection states. Thus, the J4 epistemic account is false.

This objection is not convincing, either. For it is unclear how D entails that it would be a fault for both parties to switch methods and form the belief that the other initially has. Intuitively, given D, it would not be a fault at all if they switched methods, and each formed the belief that the other initially has. Those who raise the objection might not share this intuition, but unless they can offer good reasons against it, the objection does not pose a challenge to the J4 epistemic account.

That said, I am sympathetic to the idea that if a disagreement between two parties is faultless, then it would be a fault for both of them to change their belief. And the J4 epistemic account can accommodate this idea in the following cases:

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[9] This point is suggested by Schafer (2011).

[10] By "method" I mean something similar to what Schafer calls "second-order norms." Olivia believes that Matisse's work is more beautiful than Picasso's, while Felicity believes the opposite. Schafer calls such beliefs first-order beliefs. The first-order beliefs are formed by following certain second-order norms such as "When your response to some work of art (that is, your aesthetic experience) is R, all other things being equal, form belief B about this work of art." The second-order norms, Schafer notes, "will be like the norms we accept concerning how to respond to our perceptual experiences in forming new empirical beliefs" (Schafer 2011, p. 272). They are epistemic norms determining which beliefs about aesthetic matters we take to be rational given a certain sort of aesthetic experience. A correct norm will be sensitive to one's own aesthetic experiences: it will tell one to form different beliefs (at least in some cases) if one has different aesthetic experiences.

1. The two parties in a faultless disagreement share exactly the same information, but they change their belief without switching methods. Suppose the disagreement between Olivia and Felicity is faultless, and they share exactly the same information. Then according to the J4 account, each employs a best method to handle their information, and their methods are equally good. They disagree because their methods are different: two different methods can handle the same information equally well. Now if one of them changed her belief by adopting a less reliable method, then she would be no longer J4 justified. Put differently, according to the J4 account, it would be a fault for both of them to change their belief by adopting a less reliable method.

2. The two parties in a faultless disagreement do not share exactly the same information, and they change their belief without switching methods. Suppose the disagreement between Olivia and Felicity is faultless, but they do not share exactly the same information. Then according to the J4 account, each employs a best method to handle their respective information, and their methods are equally good with regard to their respective information. Now if one of them changed her belief by adopting a less reliable method, then she would be no longer J4 justified. Put differently, according to the J4 account, it would be a fault for both of them to change their belief by adopting a less reliable method.

3. The two parties in a faultless disagreement do not share exactly the same information, and they change their belief by switching methods. If Olivia and Felicity do not share exactly the same information, then it is likely that the method that handles Olivia's information well does not handle Felicity's information well. Hence, if they changed their belief by switching methods, each would likely change their belief by adopting a less reliable method. According to the J4 epistemic account, it would be a fault if each changed their belief by adopting a less reliable method.[11]

But I do not think that *in any case*, if a disagreement between two parties is faultless, then it would be a fault for both of them to change their belief.

3.2 The objection from all-faultless disagreement

Some philosophers (e.g., Kölbel 2009; MacFarlane 2014; Palmira 2015; Baker and Robson 2015; Eriksson and Tiozzo 2016) hold that the correct interpretation of our intuition that (b) both parties are faultless is that both of them are free of any sorts of fault, which entails that (b2) neither believe anything false, for believing something false is a fault. They argue that the epistemic account is false because it cannot explain (b2). Their objection may be outlined as follows:

1. According to the epistemic account, either of the two parties in a faultless disagreement must believe a false proposition.
2. But neither of the two parties in a faultless disagreement believes anything false.

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[11] By contrast, the J3 epistemic account of faultless disagreement cannot deal with these three cases, for when one is J3 justified, there is reason to believe that the reliability of one's belief-forming process can be improved in the future, and consequently, it would not be fault for either party to change her belief by employing a more reliable method.

3.   Therefore, the epistemic account is false.

I do not find this objection convincing, however. In what follows, I will first present an argument against Premise 2. Then I will consider an argument in favor of Premise 2 and show why it fails.

Those who raise the above objection think that Premise 2 is true by definition. But this seems false. For one thing, when we say a disagreement is faultless, we typically mean that the two parties involved are both faultless, not that what they believe are faultless. And we generally agree that it might not be one's fault for believing a false proposition. Thus, when we say a disagreement is faultless, we generally do not mean that neither of the two parties involved believe anything false. For another, if "faultless disagreement" means a disagreement that involves no false beliefs, then the epistemic account is obviously a nonstarter. If it is obviously a nonstarter, it is difficult to explain why some philosophers such as Hills and Schafer defending the epistemic account. Moreover, even Kölbel (2004) paper did not seem to think that "faultless disagreement" means a disagreement that involves no false beliefs (though he changed his mind later), otherwise he would not have taken what he calls "mitigated realism" as a serious alternative account of faultless disagreement. Rather he would have rejected it out of hand because mitigated realism entails that one of the two parties in a faultless disagreement must believe a false proposition.[12]

As far as I know, the only objection in recent literature (e.g., Eriksson and Tiozzo 2016) to the idea that a faultless disagreement may involve false beliefs goes as follows: if a faultless disagreement may involve false beliefs, then some disagreements in paradigmatic objective domains can be faultless. But no disagreements in paradigmatic objective domains can be faultless. Therefore, a faultless disagreement cannot involve any false beliefs. I will address this objection in Sect. 3.3.

However, some opponents of the epistemic account might argue that there is indirect empirical evidence in favor of Premise 2 of the above objection. Specifically, across a series of experimental studies, Khoo and Knobe (2016, pp. 1–2) argue that in paradigm moral cases, people generally tend to say "While two speakers do disagree on a moral issue, neither of their claims are false." One might argue that this shows that there is a wide-spread intuition that neither of the two parties who disagree on a paradigm moral issue believes something false. If there is such a wide-spread intuition, then it is likely that there is also a wide-spread intuition that neither of the two parties in a faultless disagreement believe something false.

However, I do not think that Khoo and Knobe's experimental studies actually support their claim that in paradigm moral cases, people generally tend to say "While two speakers do disagree on a moral issue, neither of their claims are false." Khoo and Knobe's conducted three experiments. In the first experiment, participants were first invited to consider the following vignette:

> A person named Dylan bought an expensive new knife and tested its sharpness by randomly stabbing a passerby on the street. Sam says, "Dylan didn't do anything

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[12] If philosophers simply use "faultless" in different ways, then they do not genuinely disagree on which account of faultless disagreement is correct, that is, their disagreement is merely verbal. For recent discussions of verbal disagreement, see Rott (2015) and Ballantyne (2016).

morally wrong." But Jim says, "No, Dylan did do something morally wrong."

Different participants received different versions of the vignette. There are three versions: (V1) Jim and Sam are both American university students (the Same-culture condition); (V2) Jim is an American university student, while Sam is from a tribe in the Amazon (the Other-culture condition); (V3) Jim is an American university student, while Sam is not from the Earth (the Extraterrestrial condition). Then participants were randomly assigned to receive one of two questions:

(Q1)   Please tell us to what extent you agree or disagree with the following statement: *Since Jim and Sam have different judgments about this case, at least one of their judgments must be incorrect*;

(Q2)   Please tell us to what extent you agree or disagree with the following statement: *Since Jim and Sam have different judgments about this case, it was appropriate for Jim to reject Sam's claim by saying "No."*

Here Q1 is our focus. Khoo and Knobe clearly mean false judgment by "incorrect judgment." It is also clear that they think that participants in the experiments took "incorrect judgment" to mean false judgment. In all cases, participants answered on a scale from 1 ("Completely Disagree") to 7 ("Completely Agree"). So if a participant responds "5," she tends to agree rather than disagree. If responding "4," she neither agrees nor disagrees. If responding "3," she tends to disagree rather than agree. If the *mean* response in a group is greater than 4, then participants in that group *generally* tend to agree. Here are specific results Khoo and Knobe (2016, p. 9) found about Q1:

Q1 about V1: the mean response is about 5.1.
Q1 about V2: the mean response is about 4.3.
Q1 about V3: the mean response is about 3.8.

This result shows that participants in both the Same-culture condition and the Other-culture condition generally tend to agree with the claim "since Jim and Sam have different judgments about this case, at least one of their judgments must be incorrect." They merely disagree with this claim in the Extraterrestrial condition where Jim and Sam are aliens not from the Earth. Thus, the experiment does not support the claim that people generally tend to say "While two (human) speakers do disagree on a paradigm moral issue, neither of their claims are false."

Nor does the second experiment support this claim. For, while small changes were made in the second experiment, the mean response to Q1 in each of the three versions is greater than 4.0 (Khoo and Knobe 2016, p. 11). This actually supports the claim that people generally tend to say "While two speakers do disagree on a paradigm moral issue, one of their claims must be false."

In the third experiment, participants were asked either to read about two people who were in the extraterrestrial condition and expressed opposing moral claims (as in Experiment 1) or about two people who were in the extraterrestrial condition and expressed opposing non-moral descriptive claims. The mean response to Q1 in the moral case is greater than 3.5 (Khoo and Knobe 2016, p. 13). But this merely supports the claim that people generally tend to say "While a human being and an alien do disagree on a moral issue or a non-moral descriptive issue, neither of their claims are false."

To wrap up, Khoo and Knobe's empirical study does not support their claim that people generally tend to say "While two speakers do disagree on a paradigm moral issue, neither of their claims are false." Rather, the first two experiments support the opposite: people generally tend to say "While two human beings do disagree on a paradigm moral issue, one of their claims must be false." Although this does not show that people generally tend to say similar things about disagreements on aesthetic issues (such as the disagreement between Olivia and Felicity), it does undermine the above argument for the claim that there is a wide-spread intuition that neither Olivia nor Felicity believes something false.[13]

There is no denying that some people do think that they have the intuition that neither Olivia nor Felicity believes something false. But why do they think so? A plausible hypothesis is that they confuse the claim that neither of the two parties believe something false with the claim that (given what we know) it is difficult to figure out which party believes something false. With regard to Olivia and Felicity's disagreement on the question of whether Matisse is better than Picasso, we have the intuition that it is difficult to figure out which answer is false ("it is hard to say who is wrong") rather than the intuition that neither of Olivia and Felicity's answers is false. Some people fail to distinguish between the two and thereby misreport their intuition. This hypothesis can be empirically tested. If it is true, then the J4 epistemic account is vindicated again.[14] For the J4 epistemic account can well explain our intuition that it is difficult to figure out which of Olivia and Felicity's answers is false: it is difficult because they are both optimally justified.

Finally, I'd like to note that those who endorse the epistemic account do not have to deny that there might be cases of disagreement where neither party believes something false. Suppose Hong and Ruth disagree on whether an apple is more delicious than a banana: Hong believes it is while Ruth believes it is not. Those endorsing the epistemic account may happily say that neither in this case believe something false. (This might be a borderline case. In contrast, whether a ripe banana is more delicious than an unripe banana is not a borderline case.) What they argue is that the epistemic account of some cases of disagreement (such as the disagreement between Olivia and Felicity) is true while anti-realist accounts are false. As I have made it clearly in the beginning, in order to challenge the epistemic account, one must show that the cases of faultless disagreement that the account aims to explain cannot be (best) explained in terms of this account.

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[13] To be sure, Khoo and Knobe's (2016, p. 2) major conclusion (i.e., the three experiments they conducted show that "people's judgments about exclusionary content systematically come apart from their judgments about disagreement" in paradigm moral cases, that is, people are more inclined to say that the two speakers disagree than to say that at least one of their judgments must be false) may well be true.

[14] By contrast, the J3 epistemic account cannot well accommodate our intuition that it is difficult to figure out which party believes a false proposition in a faultless disagreement, because when one is J3 justified, there is reason to believe that the reliability of one's belief-forming process can be improved in the future, and accordingly, it might be very easy to figure out which party's belief is false. I will address this issue further in Sect. 3.3.

3.3 The objection from paradigmatic objective domains

Some philosophers hold that the correct interpretation of our intuition that (b) both parties are faultless entails that (b3) no disagreements in paradigmatic objective domains can be faultless. They raise the following objection to the epistemic account:

1. No disagreements in paradigmatic objective domains can be faultless (in the sense in which the disagreement between Olivia and Felicity may well be faultless).
2. If the epistemic account is true, then there may be faultless disagreements in paradigmatic objective domains.
3. So the epistemic account is false.

With regard to Premise 1, Kölbel thinks we clearly accord different statuses to disagreements in different domains, as is reflected in the saying *De gustibus non est disputandum* (there is no disputing about matters of taste). Kölbel (2004, p. 58) illustrates the difference with the following example:

> When we disagree on how many people are in the room we assume that this shows that one disputant at least is in error, and that's why further discussion or investigation is called for (if the matter is of sufficient interest). However, when we disagree on whether sardines are tasty, we make no analogous assumption. In this case we don't assume that the fact we are disagreeing indicates that one of us is mistaken and that therefore further discussion or investigation is called for.

Thus, Kölbel (2004, p. 59) concludes, "a theory that does not at least provide some account of the difference is clearly unattractive." Eriksson and Tiozzo (2016, p. 1523) illustrate the same point with another example:

> Bill and Jane … disagree about the location of Los Angeles. Given that "faultless" is understood epistemically (and that following the epistemic norm is not conceptually tied to truth) it seems conceivable that the disagreement may be faultless. For example, suppose that Bill and Jane have followed the epistemic norm correctly, but that either party has been deceived by an evil demon and therefore arrived at a false belief. Given the epistemic account, this would be an occurrence of a faultless disagreement. However, this is a paradigmatic example of a disagreement that should be ruled out as faultless. A disagreement in paradigmatic objective domains cannot be faultless.

Eriksson and Tiozzo, as well as Kölbel, seem to think that the domain of empirical facts is a paradigmatic objective domain where no disagreements can be faultless (in the sense in which the disagreement between Olivia and Felicity is faultless). Questions such as "How many people are there in the room?" and "Where is Los Angeles located?" are about empirical facts. Disagreements on such questions cannot be faultless.

   This poses a challenge to the epistemic account if, as Premise 2 of the objection states, the epistemic account implies that disagreements over empirical facts can be faultless. Eriksson and Tiozzo offer the following argument for Premise 2. The epistemic account states that the disagreement between A and B is faultless if both follow

the epistemic norm correctly. One follows the epistemic norm correctly when forming the belief p if one is epistemically justified in believing p. One is epistemically justified in believing p if one is epistemically blameless in believing p. If Q is a question about empirical facts (e.g., "Where is Los Angeles located?"), and A and B disagree on Q: A believes that the answer to Q is p while B believes that the answer is not-p, then both A and B can be both epistemically blameless in believing so. (Note that even the victim of an evil demon can be epistemically blameless in believing a false proposition.) Therefore, the epistemic account implies the disagreement on a question about empirical facts (such as the disagreement between Bill and Jane) can be faultless.

In what follows, I will argue that the above objection is untenable. First, I will present a case against the claim that no disagreements over empirical facts can be faultless. Then I will show how the J4 epistemic account, compared with other versions of the epistemic account such as J1 and J3, can better explain why no disagreements on *some* empirical issues can be faultless.

Those who raise the objection fail to provide any good argument that no disagreements over empirical facts can be faultless. We may grant that disagreements on issues like "How many people are there in the room?" and "Where is Los Angeles located?" cannot be faultless. But it does not follow that no disagreements over empirical facts can be faultless.

Some might have the intuition that no disagreements over empirical facts can be faultless. But it is doubtful that such an intuition is true. Consider the issue whether Socrates suggested a thirty-mina penalty for himself as an alternative to death penalty. According to the *Apology of Socrates* by Plato, Socrates finally suggested a thirty-mina penalty for himself. But in light of the *Apology of Socrates* by Xenophon, Socrates refused to suggest any penalty and refused to allow his friends to do so, claiming that to do otherwise would imply guilt. We may imagine that two experts disagree on this issue. They share the same historical evidence and are equally good at dealing with historical evidence. They disagree with each other because one of them gives more weight to Plato's dialogue than to Xenophon's, while the other does the opposite. It seems that the disagreement may well be faultless (in the sense in which the disagreement between Olivia and Felicity is faultless).

To be sure, critics of the epistemic account do not have to endorse the sweeping claim that no disagreements on empirical facts can be faultless. Instead, they can strengthen their objection by arguing that the epistemic account is false because no disagreements on *some* empirical issues (e.g., "How many people are there in the room?" and "Where is Los Angeles located?") can be faultless, but the epistemic account implies that some disagreements on these issues can be faultless. As we have seen, the reason why there is such implication is that the epistemic account is formulated in terms of a weak sense of justification: (J1) one is epistemically justified in believing p if one is epistemically blameless in believing p.

Admittedly, if we formulate the epistemic account in terms of J1 and grant that no disagreements on some empirical issues can be faultless, then we must reject the epistemic account. But we do not have to formulate the epistemic account in terms of J1, for there is a sense of justification that requires reliability. Consider J3: S is justified in believing p if and only if S is epistemically blameless, and S's belief is produced by a reliable process (even though there is reason to believe that the reliability of S's

belief-forming process can be improved). Given J3, the victim of an evil demon is not justified in holding her belief since her belief-forming process is not reliable. Rather, it is supposed to be the most *unreliable* process that we humans can imagine. Now reconsider the disagreement between Bill and Jane on the location of Los Angeles. Either of them has been deceived by an evil demon and therefore arrived at a false belief. The disagreement cannot be faultless because the party deceived by an evil demon is not justified.

However, the J3 epistemic account has difficulties in explaining our intuition that the disagreement on the number of the people in a certain room cannot be faultless. Suppose A believes that there are 1000 people in a certain room while B believes that the number is 998. The belief-forming process of each of them may well be generally reliable. And both of them may well be epistemically blameless. Thus, they are both justified in the sense of J3. But intuitively, the disagreement between them cannot be faultless: it is easy to figure out who is wrong.[15]

In contrast, the J4 epistemic account can explain this intuition. J4 differs from J3 in that if S is justified in the sense of J4, then there is no reason to believe that the reliability of S's belief-forming process can be improved. If S's belief-forming process is not among the most reliable known to us, then there is a reason for us to believe that its reliability can be improved. Hence, if S is justified in the sense of J4, S's belief-forming process must be among the most reliable known to us. Now if A believes that there are 1000 people in a certain room while B believes that the number is 998, it is not difficult to figure out who is wrong. For example, we can ask the people to leave the room one by one. Before leaving the room, one is required to sign their name on a piece of paper. Then we count the number of the names. This method is almost perfectly reliable. We can make it even more reliable by repeating the process several times and compare the results. We may also employ several different methods of counting and compare the results. In this way, we can easily determine which of A and B is wrong. Put differently, if A and B disagree on the number of people in a certain room, normally it is because either of their beliefs is not produced by the most reliable process known to humans. That is why we have the intuition that the disagreement cannot be faultless.

There is no denying that we may imagine an abnormal circumstance where it is not easy to figure out the number of the people in a room. Suppose there is no light in the room, and people there keep moving. There is no equipment such as night-vision goggles to help A and B count. It is conceivable that the method of counting A employs is as reliable as the method B employs and that both methods are among the most reliable methods (in such circumstance) known to humans. No one can do better than them with regard to the *likelihood* of acquiring the true belief about the number of people. Still, A and B disagree because neither of their methods are perfectly reliable, and either of them is unlucky: she acquires a false belief despite that she employs one of the most reliable methods. Here it is difficult to determine which of A and B

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[15] From the fact that it is easy for us to figure out that the proposition S believes is false, it does not follow that S is not epistemically blameless. For example, it is easy for us to figure out that some people in North Korea believe something false about America. But they are epistemically blameless for having these false beliefs.

is wrong. But some might have the intuition that the disagreement between A and B cannot be faultless.

The J4 epistemic account can accommodate this intuition as well. Specifically, since the method of counting has been continuously improved because of scientific progress, it is reasonable to believe that it will be improved again in the future so that it will become easier to determine which of A and B is wrong in the abnormal circumstance. Thus, even though both A and B employ the most reliable methods of counting known to humans, they are not optimally justified. Hence, the disagreement between A and B cannot be faultless.

3.4 The objection from quasi-omniscience

Kölbel claims that the correct interpretation of our intuition that (b) both parties are faultless entails that (b4) both are flawless thinkers. But he argues that the epistemic account cannot accommodate (b4), for "How can a flawless thinker arrive at a belief that is in fact false?" (Kölbel 2004, p. 60). Specifically, the argument goes as follows:

1. Intuitively, while Olivia and Felicity disagree on whether Matisse is better than Picasso, both may well be flawless or quasi-omniscient thinkers: each is "competent with the concepts involved in his judgment, fully informed and performing any processing of information flawlessly" (Kölbel 2004, p. 60).
2. Any theory that fails to respect this intuition is false.
3. If one is a flawless thinker, and p is either objectively true or false, then one cannot acquire an objectively false belief about whether p.
4. The epistemic account implies that either Olivia or Felicity must have an objectively false belief about whether Matisse is better than Picasso and that "Matisse is better than Picasso" is either objectively true or false.
5. Therefore, the epistemic account implies that either Olivia or Felicity cannot be flawless (from 3 to 4)
6. Therefore, the epistemic account is false (from 1, 2 to 5).

This objection cannot stand close examination, either. It rests on the notion of "flawless thinker," which is defined in terms of "fully informed" and "performing any processing of information flawlessly." Both terms are ambiguous. The objection will no longer seem plausible as soon as the terms are disambiguated.

On the one hand, if "fully informed" means having all the relevant information, then Premise 1 and 2 might not be both true, for it is unclear that either Olivia or Felicity can be fully informed: there might be some relevant information that can only be accessed by one person, as I have explained above. Similarly, if "performing any processing of information flawlessly" means that the belief-forming process is 100% reliable, then Premise 1 seems false, for we do not have the intuition that both Olivia and Felicity may well be flawless thinkers whose belief-forming processes are perfectly reliable.

On the other, if "fully informed" does not mean having all the relevant information, and "performing any processing of information flawlessly" does not mean that the belief-forming process is 100% reliable, then we may grant that Premise 1 and 2 are both true, but it opens up the possibility that a flawless thinker might acquire a false belief, which casts doubt on Premise 3. For if a flawless thinker's belief-forming

process is not 100% reliable, and there is some relevant information that she cannot access, then she might acquire an objectively false belief. Hence Premise 3 is false.

There is no denying that intuitively, there is a sense in which both Olivia and Felicity are *flawless* thinkers: they are more than ordinarily or J3 justified in holding their beliefs. The J4 the epistemic account can accommodate this intuition: both Olivia and Felicity are flawless in the sense that they are *optimally* justified.

4 Conclusion

In summary, I have defended the epistemic account against several objections. I proposed that some disagreements are faultless just in case both parties involved are optimally justified in holding their beliefs. One is optimally justified in believing p iff one is epistemically blameless, one's belief is produced by a reliable process, and there is no reason to believe that the reliability of one's belief-forming process can be improved in the future. I have argued that this epistemic account can handle some objections to the epistemic account in the recent literature.

To be sure, I have not argued that the epistemic account is the best account of faultless disagreement. But I hope that I succeed in showing that the epistemic account has not been refuted.

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