**Epistemology of disagreement, bias, and political deliberation: the problems for a conciliatory democracy.**

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 **Abstract:** In this paper, I will discuss the relevance of epistemology of disagreement to political disagreement. The two major positions in the epistemology of disagreement literature are the steadfast and the conciliationist approaches: while the conciliationist says that disagreement with one’s epistemic equals should compel one to epistemically “split the difference” with those peers, the steadfast approach claims that one can maintain one’s antecedent position even in the face of such peer disagreement. Martin Ebeling (Ebeling 2017) applies a conciliationist approach to democratic deliberations, arguing that deliberative participants ought to pursue full epistemic concliation when disagreeing with their peers on political questions. I argue that this epistemic “splitting the difference” could make participants vulnerable to certain cognitive biases. We might avoid these biases by paying more attention to the deliberative environment in which disagreement takes place.

1. **Introduction**

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

**II. Conciliatory Democracy: Conciliationist epistemology of disagreement applied to politics**

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

The alternative to the conciliationist approach is the steadfast approach, which claims that one may maintain one’s antecedent position even in the face of peer disagreement. Thomas Kelly, for example, has argued[[1]](#footnote-2) that one’s high credence in something being the case should not necessarily be defeated simply by encountering someone who disagrees with that position (Kelly 2005, p. 193). Unless they have provided a defeater for one’s antecedent belief which suggests it is either false or unreliably formed, Kelly claimed there are plenty of cases where you are permitted to maintain your belief in the face of persistent disagreement with one’s peers. This is not to say that one should always remain steadfast in situations of disagreement, but there are plenty of cases where there is nothing inherently unreasonable in doing so.

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

When peer disagreement occurs, therefore, Ebeling thinks it constitutes higher-order evidence that “undermines the evidential connection” between one’s first-order evidence and one’s belief about what the most reasonable outcome should be (Ebeling 2017, p. 82). If one truly regards the other person as an epistemic peer, their disagreement with you is not sufficient reason to regard that person as the one to have made that mistake (Ebeling 2017, p. 22-3). Unless there are reasons to “globally downgrade” the status of the other person as an epistemic peer—e.g. their being demonstrably unreliable or insufficiently informed on the proposition in question—the uniquely rational decision is that each should lower their confidence in their judgments until they reach “full epistemic conciliation” (Ebeling 2017, p. 129).

What exactly does it mean for two individuals to achieve full epistemic conciliation? I take “full epistemic conciliation” to mean that the final credences are equal in value. For instance, Ebeling gives the example of five legislators who are epistemic peers deliberating about what a just tax rate should be. Legislator A says 40% is just, Legislator B says 50%, C, 60%, D, 70%, and E, 80%. Ebeling says if they are epistemic peers with each other the uniquely rational position is for them to conciliate their judgments along a scalar dimension of those options (Ebeling 2017, p. 173), which in this case would be 60%.[[2]](#footnote-3)

**III. Preliminary Objections**

Several objections have been raised against Ebeling’s proposal. One might question the relevance of the epistemology of disagreement to political disagreement. Epistemic peerhood, a critical epistemic element of the situations envisioned in the epistemological literature, is itself a rare occurrence between real-world epistemic agents. Nathan King notes that acknowledged epistemic peerhood requires several conditions to obtain: disagreers must share the same body of evidence, have equal dispositions to respond to the evidence, and each recognize that these conditions obtain (King 2012, p. 252-3). This kind of acknowledged peerhood rarely obtains between individuals. Subjects’ evidence is rarely so coextensive that they genuinely share the exact same set of reasons, and determining if two individuals are *equally* reliable on a given question is at questionable at best (King 2012, p. 261). Thomas Mulligan therefore criticizes Ebeling’s proposal by noting that voters are hardly ever epistemic peers: many are wildly misinformed, differ widely in their reasoning capacities, and frequently adopt political attitudes based on unreliable sources and methods (Mulligan 2016, p. 658-659). If the vast majority of one’s fellow voters are not epistemic peers, then Ebeling’s prescribed conciliatory strategies—or any other peer disagreement strategies for that matter—simply do not apply.

Two things could be said in Ebeling’s defense here. First, a foundational issue for peer disagreement is whether peerhood should be construed objectively or subjectively. On the objectivist option, peerhood is a real relationship of epistemic parity that in fact obtains between individual agents (or a status that they possess viz-a-viz each other). On the second, subjectivist option, peerhood is only a relationship of epistemic parity that individuals *attribute* to others, irrespective of whether objective peerhood actually obtains between them. King and Mulligan’s objections seem to have their force only if Ebeling is using an objectivist account of peerhood. Ebeling develops a dynamic notion of epistemic peerhood, which determines peerhood by balancing the kinds of agreements and disagreements that obtain between two people. High-confidence[[3]](#footnote-4) agreements with another person and only low-confidence disagreements with them, give reason to think that agents share a lot of beliefs in common, and that epistemic peerhood thus obtains between them. The fact that peerhood obtains, Ebeling argues, seems to compel one to conciliate on the lower-confidence disagreements that remain between the peers. At first glance it seems that Ebeling is using an objectivist interpretation of peerhood here. However, on closer inspection he clarifies that “two persons are epistemic peers if they regard each other as equally reliable in answering the question correctly” and that it should be construed “not in terms of an objective possession of that status” on the part of the individuals in question (Ebeling 2017, p. 127). He seems to be taking a *subjectivist* account of peerhood to say how citizens *should* act towards each other, epistemically speaking (Ebeling 2016b, p. 664-5),

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

But the prospect of political disagreements leading to disagreement on more fundamental matters signals another concern for Ebeling’s conciliationism, namely that much political disagreement does not seem to consist of disputes of the sort that *can* be resolved in the conciliatory way Ebeling suggests. Political disputes over e.g. abortion access, LGBTQ rights, and the general size and scope of government activities are topics that are often grounded in what Robert Fogelin called “deep disagreement”: disputes where the participants lack the common ground necessary for rational adjudication of their competing conceptions (Fogelin 1985). Clashes of fundamental epistemic frameworks, differences about the relevant evidence for a given question, or what methods and standards of inquiry are appropriate, are standard examples of deep disagreements. Deep disagreements, Fogelin argues, cannot be adjudicated by rational, non-question-begging procedures in the way that ordinary disagreements can (Fogelin 1985, p. 7). Though he does not directly discuss deep disagreement in Fogelin’s sense, Ebeling confronts a similar phenomenon in his dynamic account of epistemic peerhood when two individuals have disagreements more or less across the board, both in matters of high-confidence and low-confidence. For Ebeling, these instances of deep disagreement would not necessarily be cases in which conciliation is recommended but instead where attributions of epistemic peerhood are withdrawn. He gives the example of a liberal democrat meeting an anti-democrat Nazi, who confidently denies the worth of liberal values like equality before the law, racial equality, and freedom of religion. On Ebeling’s view the liberal democrat is not required to conciliate with this anti-democrat; rather, in this case she is justified in downgrading the epistemic peer status of this other person and no longer regarding him as an epistemic peer (Ebeling 2017, p. 162).[[4]](#footnote-5)

Ebeling casts our response to these deep disagreements as a dilemma: we can either retain our high-confidence beliefs and downgrade the epistemic status of our opponent, as in the Nazi case, *or* we should seek some level of conciliation with them (Ebeling 2017, p. 177). In the case of a hardened Nazi with whom one shares no common political beliefs at all, downgrading might seem like a fairly uncontroversial choice. But Ebeling is uneasy about applying this strategy of globally downgrading one’s opponents too broadly; wanton downgrading of one’s ideological opponents would likely lead to increased levels of polarization and intellectual arrogance that risks undermining the attribution of epistemic equality for many of one’s fellow citizens that motivates Ebeling’s project (Ebeling 2017, p. 178-9). He thinks these extreme cases are rare. Though many disagreements seem like intractable disputes, Ebeling thinks one can often find some kind of scalar conciliation, as in the legislators debating tax rates mentioned above. But this does not answer the question of how we should address issues that are not amenable to scalar conciliation. For instance, Ebeling thinks that abortion access could often be conciliated along a scalar dimension, with only abortions under certain conditions and point of development being allowed. Ebeling’s suggestion only deals with the relatively easy moderate participants in the debate. This does not address the radical pro-choice and pro-life positions who say either abortion access is always permissible under every circumstance or that it is never permissible under any circumstance. These extreme positions are binary, and so it is not clear that they are readily amenable to Ebeling’s kind of conciliation.

**IV. Epistemology of disagreement and bias**

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

There are several group dynamics that drive participants toward conformity. Deliberation usually reduces variance among participants and increases the confidence with which they hold their newly converged upon position (Sunstein 2003b, p. 316). U.S. Circuit court judges seem influenced by conformity pressures in their decisions: panels of judges that are all appointed by the same party tend give more extreme rulings than panels with judges appointed by different parties (Sunstein 2003b, p. 168). One way of understanding this kind of behavior is what Cass Sunstein calls an informational cascade, where “people cease relying...on their private information or opinions” when making decisions (Sunstein 2003a, p. 54) and instead use the opinions of others as cues for what the appropriate answer is, and form their own beliefs and attitudes accordingly. Sunstein illustrates this dynamic with the case of three equally trained and knowledgeable doctors deciding if a therapy for menopausal women increases risk for heart disease. Suppose the first two doctors speak up in agreement with each other that the therapy is low risk. The third doctor, whose own private judgment is that the therapy probably is a high risk, decides to go against his own judgment and side with the first two. The failure to disclose that there was actually some measure of disagreement among them might lead others to think that their agreement was more robust than it actually is, leading others to join with this “consensus.” The power of group influence on individual beliefs and behavior is “one of the most durable lessons in social psychology” (Cohen 2003, p. 808). In spite of its prevalence, however, people are often blind to its effects, mistakenly assuming that their change in attitude is simply “an impartial assessment of the relevant facts” (Cohen 2003, p. 809). Conformity pressures form our political attitudes as well, as we often take the cues of friends and neighbors, political parties, as well as social and religious groups when forming our own stances (Suhay 2016, p. 6). Several streams of research on political networks suggest a tendency “for individuals to become more like their discussion partners over time” (Lazer et al., 2010, p. 249).[[5]](#footnote-6)

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

Yet, even if this mutual shift were to take place, the minority would have to modify its position substantially more than members of the majority.[[6]](#footnote-7) While there might be situations where this is epistemically benign, there is the risk in that it could perpetuate a kind of epistemic domination (Bohman 2012). Someone is epistemically dominated when they are subjected to the beliefs of others in some unilateral way. Miranda Fricker has articulated that a necessary condition for not being dominated is that one can make an epistemic contribution, to “contribute to the pool of shared epistemic materials--for knowledge, understanding, and practical deliberation” that set up the social institutions that frame one’s social reality (Fricker 2015, p. 76). Epistemic contribution can be hindered, Fricker argues, when one does not have reasonable levels of input into how social institutions are structured, a process she calls “hermeneutical marginalization” (Fricker 2007, p. 153). To illustrate, suppose that Jane believes that high-prestige jobs requiring excessively demanding work hours are hostile to employees—many of whom are women—who have substantial familial obligations competing for their time. When she discusses this with her male co-workers, Bob and Logan—whom she takes to be her epistemic peers—she discovers that they disagree with her on this issue. Following Ebeling’s prescription, if they are in fact her epistemic peers, then she should pursue epistemic conciliation with them. Fricker might argue that a relevant feature of this disagreement is that it was brought about because work hour requirements and expectations were not developed with equal input from people with substantial familial expectations, especially women (see, e.g. Goldin 2014). This type of unequal social arrangement is the context in which many disagreements take place; though this may seem just a moral disadvantage, there is an epistemological dimension to it: to not acknowledge that unequal deliberative field and require that everyone conciliate with the majority of their epistemic peers potentially hinders some minority groups’ capacities to make an epistemic contribution to the structures of their society. This is one of the epistemic risks that Ebeling-style conciliation carries with it that needs to be recognized.

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

This leads us to what I find most problematic about Ebeling’s proposal: the notion of *full* epistemic conciliation on political matters. First, it is not obvious that there will always be one uniquely rational way of weighing all the epistemic factors in a given circumstance, that there could be a range of responses to a situation that are all at least minimally rational (Riggs 2008). This kind of rational pluralism is all the more plausible in the political domain, as there are seemingly instances of interminable but reasonable disagreement. According to John Rawls, some political disagreements are the result of free institutions that allow people to use their own reasoning faculties to determine their own beliefs and values. Rawls thinks the disagreements that result from this exercise are likely to be an enduring feature of a free society, and it is not reasonable to think those disagreements would ever get resolved without some repressive imposition of one viewpoint (Rawls 2005, p. 36). Similarly, Amy Gutmann and Dennis Thompson claim that even if everyone in society were competent reasoners and epistemically fair-minded, “some would reasonably give different weight to the many complex factors, moral and empirical, that affect the choice of public policies” (Gutmann and Thompson 1996, p. 25). The upshot of this reasonable disagreement is that it does not seem to expect that there would be anything resembling full epistemic conciliation in the political domain. Ebeling does not make sufficient space for this reasonable political disagreement. The second problem is that Ebeling’s proposal requires people to converge on a consensus position on a wide range of political matters. If the Supreme Court followed these conciliatory prescriptions, for instance, justices would *ceteris paribus* seem to be prohibited from giving opinions which depart from some of their fellow judges (unless there were some special circumstances that lead the dissenter to think her colleagues were not actually peers in a particular case). This requirement might be acceptable in an environment where there is no tendency to conciliate irrationally. But in an environment where conformity pressures are very prominent, full conciliation could be quite problematic.

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

Second, this weak deference seems inconsistent with Ebeling’s larger overarching requirement that people ought to conciliate with their peers towards a uniquely rational option. Take *p* to be “Legalized abortion is morally just.” Suppose Jane holds a credence of .8 for *p*, while Joan holds a credence of .2 for *p*. After they learn of their disagreement—as well as discussing their reasons for their respective positions—they decide they are peers on this issue and that they should weakly defer to each other to account for the possibility of their own cognitive biases and limitations. They therefore downgrade their respective credences to .7 and .3. If such a move counts as weak deference, though the disagreers have gotten closer to agreement than before, they have done less than the full equal-weight conciliation. Yet, at other moments, Ebeling stresses that peer disagreers seemingly ought to eliminate the disagreement between them—as in the tax legislator case—but a policy of weak deference will not compel people to arrive at a full conciliation.

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

We could construe his uniqueness claim in a weaker sense that, given whoever one’s peers happen to be, some conciliation X is the uniquely rational choice. This interpretation also has its problems. Consider the previously discussed disagreement on tax rates: since peer legislators A-E believe, based on their judgment of the total evidence, that the top tax rate should be between 40-80%, respectively, Ebeling says the uniquely rational answer for them is to conciliate at 60%. But suppose that three other legislators—F, G, and H—are peers with each other and, based on their judgment of the total evidence, propose that the top tax rate should be 5%, 10%, and 15%, respectively. In that case, Ebeling would say the uniquely rational option for them is 10%. So Ebeling’s result seems to relativize the uniqueness claim substantially: 60% is uniquely rational *for the first group*, while 10% is uniquely rational *for the second group*. Unlike the stronger reading, there is no claim that these “uniquely rational” answers are related to any wider epistemic truths about what one should believe. On this reading, conciliation is only “uniquely rational” within the confines of an epistemic “Overton window” of the range of what one’s peers happen to think is acceptable or reasonable. Given the propensity for like-minded peers to become echo-chambers around each other, we should be very skeptical of claims that conciliating with one’s peers is a uniquely rational choice (Nguyen forthcoming).

Perhaps these problems only apply to the Ebeling’s strong requirement of *full* epistemic conciliation. Nathan Ballantyne and E.J. Coffman discuss a weaker form of conciliationism,where revealed peer disagreement only requires that a person give “some weight to her peer’s attitude” (Ballantyne and Coffman 2012). They call this position “permissive conciliationism” since it does not require that the disagreeing parties make equally extensive revisions of their views, nor requires that they come to one conciliated position (Ballantyne and Coffman 2012, p. 660). On this view, there can be more than one reasonable view one could take on a given political question. When confronted with a first-order disagreement with a peer, one could examine the rational basis for the other person’s position, what sources they use, and so on. If their position is grounded in a rational basis that one’s own position has not accounted for, then one might be rationally compelled to adjust one’s position. The extent of such conciliations will obviously vary from case to case. How strong the evidence is for one’s antecedent view is, how many of one’s peers are on each side, how diverse their sources are, all could affect how much conciliation would be required. This position might share some affinities with Ebeling’s weak deference once it is detached from his stronger proposal. For my purposes here it is sufficient to note that there is at least one account that could do justice to many of the ideas motivating Ebeling without the problems of his strong proposal.

I have argued that full epistemic conciliation risks subjecting individuals to cognitive biases, diminishing the epistemic contribution of minority voices and homogenizing the overall information pool. If so, Ebeling’s conciliationism is epistemically riskier than supposed. Following Duncan Pritchard, I take epistemic risk to be the modal proximity of cognitive failure (Pritchard 2016, p. 565). On this view, it is important not only that one actually cognitively succeeds but also that the possible worlds wherein one cognitively fails on that same basis are not too modally proximate. Put another way, this proximity to cognitive error calls into question the modal reliability of conciliation as a belief forming mechanism.[[7]](#footnote-8) Even if one fully conciliates in a way that actually produces more rational beliefs, that full conciliation could have been on the basis of groupthink or diminished the information pool. Not much about the world would need to change for that conciliation to result in these kinds of cognitive failures. To be clear the epistemic risk of full conciliation is not so proximate to completely defeat beliefs formed this way. I would argue that the increased exposure to the epistemic risk of cognitive failures constitutes only a *partial* defeater for conciliated beliefs, in that it results “in the loss of some of the belief’s justification or positive epistemic status” (Thune 2010, 356). As a result we should be less confident that full epistemic conciliation on political matters is as genuinely warranted as Ebeling thinks.[[8]](#footnote-9)

The claim here is that because political domains of discourse are inherently more prone to cognitive and social biases, the possible worlds in which those biases obtain are closer than in other discursive domains, and as such conciliationist responses to disagreement in political domains are particularly risky. Claiming that Ebeling’s conciliationism is risky in this way raises the question of the comparative risk of other strategies. All approaches carry with them some risk to cognitive failure. Is there reason to think that Ebeling’s is any riskier than potential alternatives? We might start by pointing out that it is plausible to think that steadfast approaches are generally as vulnerable to the overconfidence bias as conciliationism is to groupthink. Ample evidence of social psychology illustrates that overconfidence bias is also highly prominent in the political domain (Ortoleva and Snowberg 2015). Being overconfident in this way can lead people to make biased assessments of information in ways that confirm and further entrench their antecedent political views: people accept at face value information that confirms their political views (Lord, Ross, and Lepper 1979). Antecedent political confidence interferes with ability to interpret data correctly, even among the most highly mathematically literate people (Kahan et al., 2013). Someone using the steadfast approach could arrive at a conclusion that an overconfident person would come to. I think the proximity to overconfidence partially undermines the positive epistemic status for a steadfast belief in the same way that a conciliationist belief is partially undermined by its proximity to groupthink. Steadfastness and conciliationism seem to have roughly comparable risk levels, albeit towards different epistemic failures.

We might then consider the epistemic risks of other kinds approaches to disagreement. Are weaker forms of conciliationism, such as permissive conciliationism described above, substantially less risky than Ebeling’s strategy? Permissive conciliationism is certainly not a risk-free strategy. Suppose Jake, a permissive conciliationist, is in a room of his epistemic peers that happen to disagree with him on some particular question *p.* Even though he only has to accommodate his peers to a certain extent, if they are all peers that provide him with reasons he had not previously accounted for then in the aggregate they might compel him to shift his belief quite substantially. There are certainly situations wherein this kind of conciliation could be a manifestation of groupthink, perhaps if all those peers were actually using the same source. But I think the permissive conciliationist is further away from groupthink than Ebeling’s conciliationist because more has to happen for him to fall prey to it: he would have to encounter more independent instances of peer disagreement before he substantially revises his belief. Even though it does not stop groupthink entirely or reverse its course, the permissive conciliationist’s susceptibility to it is slower. By contrast, it seems an Ebeling-style conciliationist would conciliate more readily. The risks would reverse if we compared Jake to how a steadfaster, Laura, would act in the same situation. Jake would likely be more willing to revise his beliefs in light of his peers’ beliefs than Laura in a similar situation. This makes him relatively less vulnerable to the overconfidence bias than her, though it also makes him relatively more vulnerable to groupthink. So then it seems like a permissive conciliationist is closer to overconfidence than Ebeling’s conciliationist but closer to groupthink than a steadfaster. Permissive conciliationism is therefore exposed to a moderate amount of *both* overconfidence and groupthink. Does this mean that the permissive conciliationist’s respective proximities to cognitive bias simply cancel each other out? Not necessarily. We might say that permissive conciliationism is a more moderate view than either the steadfast approach or Ebeling’s form of conciliationism. That could be good or bad, depending on what beliefs are subject to revision. If Jake’s status quo belief is a rational one and revision in light of some peer’s beliefs will make it less rational, then permissive conciliationism is protecting him from forming a less rational belief. But if his status quo belief is rationally suspect and could stand to be improved by taking his peers’ views into consideration, then Jake’s stance is making it harder for him to have a more rational belief. I am unsure whether or not this makes permissive conciliationism, all-things-considered, a less risky approach to disagreement than Ebeling’s conciliationism (or the steadfast approach for that matter). But if we are comparing the risks of permissive conciliationism and Ebeling’s conciliation, it seems we can at least say that the former is moderately less risky when it comes to groupthink, though moderately riskier when it comes to overconfidence.

**V . Paths forward**

The bias-vulnerability of both simplistic conciliatory and steadfast approaches lead one to consider how we can deal with political disagreement better. One approach suggests that the settings of disagreement can be structured to mitigate the biases that might crop up naturally in deliberation. There is a large body of empirical literature on deliberation that attempts to understand how people operate in deliberative scenarios. When people deliberate, some of them change their minds, while others maintain their status quo beliefs. Beliefs and attitudes can become either more extreme or more moderate. Part of the task the study of deliberation is to figure out why people modify their beliefs the way they do and what processes they use. This research could affect how we evaluate both the belief-forming processes people use in deliberation, as well as the beliefs themselves. While these studies are not dealing specifically with the kind of epistemic conciliation that Ebeling and others focus on, I think they can illuminate the epistemology of disagreement and motivate a more nuanced approach to disagreement. Following Thaler and Sunstein (2008), perhaps we can facilitate deliberative procedures that “nudge” people toward more reasonable beliefs, or to form them in more rational ways.

One promising research program is James Fishkin’s work on deliberative polls. In this program, participants initially answer a series of questions on a given topic, to establish their baseline knowledge of, and position on, it. The group then receives information and deliberates about the topic among themselves, mostly deciding as a group what kind of questions to ask of the expert panel. At the conclusion, the members take the survey again to measure what factual information they absorbed and the extent to which that learning changed their original opinions. The results from these procedures suggest that structured deliberation can produce more substantive shifts in policy preferences (Lushkin, Fishkin, and Jowell, 2002), and helps produce more agreement and reduce group polarization. More technically, deliberative polls tend to increase a group’s proximity to “single-peakedness,” which is where a group, post-deliberation, tends to coalesce around a preferred ordering of the discussed alternatives (List, Luskin, Fishkin, and McLean 2013, p. 82-3). The most dramatic shifts in policy preferences were most prominent among deliberators who absorbed the most information during the deliberation (Lushkin, Fishkin and Jowell 2002, p. 470). On the basis of their results, Bruce Ackerman and James Fishkin have suggested that deliberation should play a larger role in political will-formation, as in their proposed “Deliberation Day,” where a subsection of the population takes part in a deliberative poll on the current hot topic issues in an election cycle (Ackerman and Fishkin 2004). Ackerman and Fishkin reject groupthink as the best explanation for their results by pointing out that while juries must reach a collective decision that likely suppresses minority opinions, the “Deliberation Day” participants’ conclusions are disclosed in confidential questionnaires at the end of the period, so there is likely no conformity pressure (Ackerman and Fishkin 2004, p. 63).

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

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

Yet both of these studies leave underexplored the actual mechanisms by which deliberative participants make their choices. Marina Lindell and co-authors (2017) examine what factors in deliberation drive people toward either moderation of their opinions or polarization in a Finnish citizen deliberation on immigration. Many previous studies presumed that polarization is generally irrational, while moderation was considered to be the more epistemically virtuous and desirable pathway, if not *the* desired goal of deliberation. Lindell et al. complicate that narrative by showing, *inter alia,* that there are times when polarization (at the very least) is not an epistemically vicious choice. First, participants who polarized their opinions did not display many of the features that ordinarily make polarization problematic from a normative standpoint: they formed beliefs in heterogenous groups, displayed empathy, and even showed normal ranges of information absorption and learning (Lindell et al. 2017, p. 39). One might normally expect that those who moderated their position post-deliberation would be the ones who learn the more, display the more empathy, and become more open-minded. But those whose opinions were polarized displayed many of the same behaviors and dispositions as those who moderated their opinion (Lindell et al. 2017, p. 40). These data cut against work from Sunstein and others who say that polarization comes from like-minded people making themselves more and more extreme (Lindell et al. 2017, p. 25).

What epistemological lessons should we take away from these experiments? I think the deliberative polling data suggest that some kind of epistemic conciliation is possible in a way that does not subject citizens to the normal levels of group conformity pressures. Under the right circumstances, deliberation can produce agreement that displays some broadly shared epistemic virtues—increasing respect for other viewpoints, openness to epistemic modification, etc. Yet, Neblo’s concern about deliberative polling’s political legitimacy in some ways mirrors the issues raised earlier for Ebeling’s proposal, in that deliberative structuring can level off the information pool and create situations where cognitive bias could get amplified. Ravazzi and Pomatto’s study seems to show that attempts to short-circuit the deliberative process of disagreement can lead to a lack of information about what participants actually want and value. The raising to consciousness of adversarial viewpoints, without any attempt to conciliate them, allowed for the construction of creative solutions that more authentically accommodated those concerns. As Sunstein points out, the hidden profile of unshared but relevant information can contribute to group polarization itself (Sunstein 2003b, p. 321-3). While certainly not all kinds of information about an individual’s beliefs are always going to be relevant to a deliberation, we should be broadly wary of attempts to shut them down ahead of time. Lindell and coauthors’ study is very challenging, particularly because it finds group effects like groupthink to be an insignificant factor in people’s deliberative choices (Lindell et al. 2017, p. 35). While they admit that their study was from a relatively small sample, and thus look forward to additional studies and replication that test the robustness of groupthink in deliberation, I think it illustrates where a lack of conciliation can actually be epistemically positive, perhaps even virtuous, behavior. Polarization can be epistemically positive, especially when it reflects preference clarification of individuals’ better understanding of their actual preference and their reasons for it (Lindell et al. 2017, p. 24). We should therefore be especially cautious about assuming that polarizing disagreement is always epistemically undesirable.

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

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1. To be clear, Kelly currently defends the Total Evidence View (Kelly 2010), mentioned below. [↑](#footnote-ref-2)
2. Ebeling appears uncommitted on what kind of function rationality demands we use to bring about full epistemic conciliation. In the above case, it seems like a straightforward arithmetic mean is employed. If this is right, it is far from clear that this function is *the* optimally rational choice (cf. Jehle and Fitelson 2009). [↑](#footnote-ref-3)
3. A position being held in high-confidence does not necessarily mean that confidence is justified: religious zealots and politicians often have high-confidence in their beliefs that is in no way justified. I’m thankful to J.D. Trout for noting this. We might charitably reinterpret Ebeling here as meaning “justifiably high-confidence.” [↑](#footnote-ref-4)
4. It is noteworthy that Ebeling has equally given the Nazi permission to downgrade the epistemic status of the liberal democrat. Thanks to the editors for pointing this out. [↑](#footnote-ref-5)
5. It is noteworthy that Lindell et al. (2017) found in their own citizen deliberation study—which admittedly had a small sample size—that group effects were statistically insignificant for both polarization and moderation of individual preferences (Lindell et al., 2017, p. 35). [↑](#footnote-ref-6)
6. Another possibility to resist this kind of epistemic domination is by invoking a kind of belief independence where if the majority have their beliefs from an identical source—e.g. acquired from the same news source, same advisor, etc.—then one need not treat every single person like they have acquired it from a wholly unique source. I am thankful to a referee for mentioning this. [↑](#footnote-ref-7)
7. Thanks to an anonymous reviewer for suggesting this point. [↑](#footnote-ref-8)
8. Since Ebeling’s proposal is specifically about the political domain, I limit my discussion to this domain. Certainly the sorts of biases I describe can creep into most kinds of group deliberations and decision-making in other areas like business, health-care, even space travel (Rose 2011). In those domains, however, there are many plausible proposals to mitigate these kinds of biases; they range from leaders focusing on facilitating the feedback from all of their team members (Janis 1982) to more carefully on worst-case scenarios and designating more “devil’s advocate” teams to challenge the consensus of the group (Sunstein and Hastie 2015). The effectiveness of these strategies makes the risk of cognitive failure in these domains more remote. It is unclear how well these strategies would work if applied to political deliberation, so I think that tentatively warrants the distinction between the political domain and non-political domains that I am using in this paper. [↑](#footnote-ref-9)