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***Disagreement and Epistemic Injustice from a Communal Perspective***

**1: Introduction:** In this paper I will consider disagreement from a communal perspective. Thus, my focus will not primarily be on disagreement between different groups although this case will figure as well. My main focus is on the epistemic pros and cons of disagreement for a community and on how the social structure of the community bears on these pros and cons. A central lesson will be that disagreement has more epistemic costs at the communal level than is often recognized, and that these epistemic costs often yield epistemic injustice.

Much contemporary epistemology of disagreement is inspired by Mill’s forceful defense of freedom of speech by appeal to the epistemic benefits of disagreement (Mill, 1859/2002, Chap 2). In particular, the ensuing debate has inherited Mill’s focus on the ways in which epistemic disagreement are epistemically *beneficial*. For example, Christensen has argued that peer disagreement “…should be welcomed as a valuable strategy for coping with our known infirmities” (Christensen 2007a: 216). The extent to which one should revise one’s belief in the face of disagreement is debated. But the assumption that disagreement is often epistemically *good news* is widely agreed upon. Moreover, Mill’s considerations centrally involve the social group that the disagreeing individual belongs to: The *community* that may benefit from disagreement in its marketplace of ideas.

In contrast, I will discuss how disagreement may defeat or diminish testimonial warrant.[[1]](#footnote-1) This is not to oppose the view that there are epistemically positive aspects of disagreement. But I will argue that a balanced assessment of the epistemic significance of disagreement requires a better understanding of how and when varieties of it amount to epistemically *bad news*. Moreover, I will argue that these epistemic costs of disagreement may both be partly caused by the disagreeing parties’ social community. Thus, the negative epistemic impact of contexts of disagreement requires more careful treatment than it has received. Furthermore, this treatment should not be individualistic in the sense that it only considers the epistemic effects on disagreeing individuals. Rather, it should consider the effects of disagreement within the wider social group.

The task of identifying and diagnosing the circumstances in which disagreement is epistemically problematic is especially important because the epistemically problematic aspects of disagreement is related to epistemic injustice (Fricker 2007). Indeed, I will argue that epistemically problematic disagreements may both be *generated by* and *resulting in* epistemic injustices. So, the overall effect may, in some circumstances, be a vicious circle. Consequently, an aim of applied epistemology should be that of articulating strategies for how to deal with the epistemically problematic aspects of disagreement. I will argue that lack of transparency about whether a disagreement is an epistemic peer disagreement may contribute to disagreement resulting in epistemically bad consequences and epistemic injustices. On the basis of this diagnosis, I conclude by briefly exploring strategies to address problematic consequences of disagreement. In line with the communal perspective, I will not focus on the strategies individual agents may adopt, but rather on the strategies that may be adopted on the communal level.

The paper is organized as follows: In **Section 2**, I characterize varieties of disagreement as well as the notion of epistemic peerhood. In **Section 3**, I consider a broad argument to the effect that disagreement may defeat or diminish epistemic warrant – *The Argument from Self-Doubt*. In **Section 4**, I argue that this negative impact of disagreement is more severe than commonly recognized once we consider the effects of the disagreement at the level of the social group. In **Section 5**,I indicate how the noted epistemological problems with disagreement may breed epistemic injustice in the community. Finally, in **Section 6**, I briefly consider what measures a community may take in order to avoid the noted epistemological problems with disagreement.

**2: DISAGREEMENT AND PEERHOOD:** Disagreement presents itself in many forms. In general, it may be characterized as the case in which two individuals or groups differ significantly in their doxastic attitude to a proposition. For example, one person may believe that *p* whereas another may believe that not *p*. However, two persons may also be said to disagree with regard to *p* if their attitudes towards *p* involves different degrees of credence. So, I will use the phrase ‘disagreement’ broadly as to apply to any non-negligible difference in doxastic attitude towards a proposition.[[2]](#footnote-2)

Much attention has been devoted to the possibility of *rational* disagreement among epistemic peers. As is customary, I use ‘epistemic peers’ (relativized to a proposition or a domain) to denote individuals who meet, at least in an approximate manner, the following three conditions:

(i) They share the same evidence.

(ii) They are equally rational and competent (with respect to a proposition or a domain).

(iii) The have considered the proposition disagreed upon equally carefully.

As indicated by the phrase ‘at least in an approximate manner,’ a bit of slack must be given with regard to each condition in order to avoid making the subjects so similar that the occurrence of disagreement becomes a puzzle. Moreover, I am interested in an operational notion of epistemic peerhood that applies to a significant set of actual cases, rather than only to heavily idealized cases. For the same reason, I assume that two people may be epistemic peers without having disclosed their evidence, reasoning etc. That is, the present characterization does not include a ‘disclosure’ condition on epistemic peerhood itself.

Here is how the slack is given to each condition: As for (i), two individuals may be regarded as peers about *p* even though the evidence they share is not identical but merely relevantly similar (see also Hawthorne and Srinivasan 2013, fn. 15). As for (ii), it is hardly ever the case that two individuals are perfectly equi-competent with regard to a proposition or domain. Likewise, the final condition, (iii) should allow for minor discrepancies. In particular, a *performance error* by one of the disagreeing parties may be responsible for a genuine peer disagreement.

Note that many of the cases in the literature, such as Christensen’s Mental Math case, presuppose that the disagreement is explained by a performance error on the part of a peer (Christensen 2007a). So, I take this specification of peerhood to align with the notion that is operative in the literature (see also Kelly 2005, Gelfert 2011, Vorobej 2011).

It will be important for the following discussion to note that the above articulation of the notion of epistemic disagreement articulates *de facto*, rather than apparent, epistemic peer disagreement. So, whether two disagreeing people regard each other as epistemic peers does not determine whether they are epistemic peers (contrast Elga 2007). However, apparent peer disagreement may be articulated derivatively as follows: S is confronted with an apparent epistemic peer disagreement just in case it appears to S that (i)-(iii) hold (at least in an approximate manner) and there are no obvious indications that would make it irrational for S to regard the disagreement as a *de facto* epistemic peer disagreement.

The wide category of disagreement involves robust disagreement which occurs in cases where the disagreeing parties recognize the disagreement and basic aspects of their opponents’ epistemic reasons and reasoning. Moreover, robust disagreement is characterized by the fact that neither party revises her belief on the basis of a first round of critical reflection, and both parties lack disagreement-independent reasons against the opponent’s view or rationale (Christensen 2007a). So, whereas epistemic peer disagreement does not involve a disclosure condition, robust epistemic peer disagreement requires that the main aspects of the disagreeing parties’ evidence and reasoning are disclosed. However, even robust peer disagreement may be apparent rather than *de facto* disagreement. For example, it may be the product of biased cognition or it may be explained by seemingly minor but consequential discrepancies in the disagreeing parties’ evidence or reasoning. Finally, robust disagreement may be distinguished from *deep* disagreement which is, roughly, disagreements that is not resolved despite full disclosure of both evidence and the consciously available reasoning from the evidence to the beliefs that yield the disagreement (Goldman 2009, 2010; Lynch 2010). Deep disagreement is often explained by epistemic diversity which may, in turn, be characterized as variances of epistemically significant aspects of meaning or of variances in epistemic perspectives, worldviews, values or standards.[[3]](#footnote-3) Apparent deep peer disagreements may also be merely apparent. For example, epistemically diverse people may not be epistemic peers since their cognitive values or worldviews may not be equally epistemically rational. However, this situation does not entail that the disagreement may be resolved (Goldman 2010).

While there is a much more to be said about these different notions of disagreements, I hope to have said enough to consider some of their epistemically problematic ramifications.

**3: THE ARGUMENT FROM SELF-DOUBT:** In this section, I will argue that a variety of epistemically negative effects may be grounded in forms of disagreement. I start out articulating an argument – *The Argument from Self-Doubt* – that concludes that disagreement can diminish and even defeat epistemic warrant.

**3.1: Peer disagreement and conciliationism:** Cogent arguments have been set forth in favor of conciliationism – the view that a subject who is confronted with robust peer disagreement shouldrevise her belief to some extent (Christensen 2007a; Carter 2014; Matheson 2015a-b).[[4]](#footnote-4) However, a rational obligation to revise one’s belief that *p* does not entail that the subject should *doubt* that *p* or suspend judgment about it. In many cases, one should simply lower one’s degree of belief that *p* in the face of peer disagreement.

Since the ‘should’ in question is one of epistemic rationality, it is natural to discuss the issue in terms of degree of warrant for the belief in question. For example, Michael Thune argues that the verdict that S confronted with peer disagreement should(-of-epistemic-rationality) lower the degree of confidence in *p* (Thune 2010). This assumption may be motivated by the idea that peer disagreement is a higher-order defeater or diminisher of S’s warrant for the belief that *p*. Indeed, the assumption that an epistemically rational decrease of degree of belief corresponds to a lower degree of warrant appears to follow by an appropriate specification of the slogan: *Proportion (the degree of) your belief to (the degree of) your warrant*. So, I shall simply speak of degree of warrant for a belief, rather than speaking of epistemically rational degree of belief. This way of putting things has among its advantages that we may consider doxastic (or *post ante*) warrant as well as propositional (or *ex ante*) warrant.

 It is widely, although not universally, accepted that peer disagreement may defeat or diminish warrant (see Christensen 2009, Feldman and Warfield 2010). However, the circumstances in which peer disagreement defeats or diminishes warrant and the extent to which it does are debated. Indeed, the underlying explanation as to *why* and *how* peer disagreement defeats or diminishes antecedent warrant is disagreed upon. For example, it is controversial whether the appearance of peer disagreement about *p* figures in the set of S’s *total evidence* against the proposition *p* (Feldman, 2009, Kelly 2005, 2010, Christensen 2009, 2010).

Here I will consider an alternative argument to the conclusion that apparent peer disagreement defeats or diminishes the subject’s antecedent warrant. Here is the gist of it. An agent, S, who is confronted with a robust disagreement with a rational peer should exhibit certain self-doubts.[[5]](#footnote-5) For example, one might doubt whether one has made a performance error in the judgment that *p*, that one’s evidence is flawed and so on. However, self-doubt in one’s own judgment that *p* or its sources tends to defeat or diminish one’s warrant for the belief that *p*. So, the appearance of a robust peer disagreement may defeat or diminish the antecedent warrant for the belief disagreed upon. The idea of self-doubt has been discussed in various contexts (Jones 2012; Medina 2013). But in order to consider it explicitly in relation to robust apparent peer disagreement, I will state the reasoning sketched above as an explicit deductive argument – *The Argument from Self-Doubt*:

D1: If S responds rationally to a robust apparent peer disagreement about *p*, S engages in self-doubt with respect to her judgment that *p*.

D2: If S engaged in rational self-doubt with respect to her judgment that *p*, it is frequently the case that S’s warranted belief that *p* becomes unwarranted or that its warrant is diminished.

D3: If S responds rationally to a robust apparent peer disagreement about *p*, it is frequently the case that S’s warranted belief that *p* becomes unwarranted or that its warrant is diminished.

Although my main interest is to shed light on the wider ramifications of the conclusion, D3, I will begin by briefly considering the argument for it. The argument is articulated in a manner that does not require that robust apparent disagreement amounts to evidence. However, it is compatible with such a view. D2 merely sets forth a doctrine that connects S’s rational self-doubt about S’s belief that *p* and S’s warrant for that belief. Independently of what is taken to constitute warrant for a belief, it is plausible that self-doubt in cases of robust apparent peer disagreement will, at least frequently, defeat or diminish it.[[6]](#footnote-6) This assumption is the core of D2.

In consequence, I will restrict my attention to the other premise, D1, and the conclusion, D3. Let me begin with the latter. D3 does not immediately have any negative epistemic consequences. After all, the engagement in self-doubt provides an occasion for checking one’s reasoning, reconsidering one’s evidence and so forth (Christensen 2007a). Such activities are often epistemically beneficial to the individual agent as well as to the wider community.

Yet, the robust appearance of peer disagreement may have epistemically bad ramifications. Let me restate this with an important emphasis: The robust *appearance* of peer disagreement may have epistemically bad ramifications. The restatement emphasizes an under-discussed aspect of epistemic disagreement: It is frequently not transparent to a subject who is confronted with a robust apparent disagreement whether it is a genuine peer disagreement that is explained by, for example, a performance error or not a peer disagreement at all. Often this issue is sidestepped by focusing exclusively on known peer disagreement or on idealized cases of peer disagreement with full disclosure of evidence and reasoning. But the issue is, I shall argue, too important to be sidestepped, and this is especially so once we consider the social community in which the disagreement is situated.

Turning to D1, facts about transparency are clearly significant. The notion of transparency deserves a more comprehensive treatment than I can provide here. Roughly, I will be concerned with the idea that the nature of a disagreement is transparent to S to the extent that it is easy for S to form warranted beliefs about its nature. For example, it is highly transparent to S that the disagreement between her father and his doctor is not a peer disagreement because S can easily form a warranted belief that this is so by reflecting on the discrepancy in their medical training. In contrast, it may be highly non-transparent to S that he is not S\*’s peer, if his reasoning leading to the disagreement with S\* is under the influence of unconscious biases. Transparency is a matter of degree but for simplicity, I will often use the categorical terms ‘transparent’ or ‘non-transparent’ when it is very easy or very difficult, respectively, for S to form a well-warranted belief about the aspects of the disagreement in question. I will be concerned with the transparency concerning aspects of the nature or source of disagreements. Aspects of the nature of the disagreement concerns whether it is a factual disagreement, a peer disagreement, a rational disagreement etc. Aspects of the source of the disagreement concerns whether it is produced by biased cognition, a performance error, a well-functioning cognitive process etc. I will primarily be concerned with the transparency of aspects of the nature and source of disagreement as they pertain to epistemic peerhood as characterized above. If such aspects of nature or source of a robust epistemic disagreement are not transparent to a disagreeing party, S, it is *ceteris paribus* rationally required of S to respond to a robust apparent peer disagreement by engaging in some degree self-doubt. For example, one would not be responding rationally to an apparent robust peer disagreement by completely ignoring it or by only considering wherein the apparent peer might have erred. This assumption is not an epistemically internalist one. Epistemic externalists standardly allow for both unrepresented defeaters, such as missed clues and higher-order defeaters (see, e.g., Bergmann 2006, Ch. 6; Gerken 2020a).

It appears, then, that there is a *prima facie* case for D1. It might be objected that the mere appearance of peer disagreement should not give occasion to self-doubt unless it is reasonable to suppose that the disagreement is a *de facto* peer disagreement (Lackey 2008a). There is something to this worry. However, I have sought to anticipate it by including a mild rationality constraint in the characterization of the term ‘apparent’ in D1: Recall that a disagreement is characterized as an apparent epistemic peer disagreement only if there are no obvious indications that would make it irrational for S to regard the disagreement as a *de facto* epistemic peer disagreement. So, both cases of *de facto* peer disagreement and non-transparent non-peer disagreement may qualify as apparent peer disagreement.[[7]](#footnote-7) Furthermore, the argument is restricted to cases in which the appearance of a peer disagreement is robust. This entails, among other things, that neither peer has disagreement-independent reasons to dismiss the opponent. Given that ‘robust apparent peer disagreement’ is specified in the manner above, the premise D1 is *prima facie* plausible and, given D2, so is D3.

Many of those who regard disagreement as good news accept D3. Consequently, my main ambition in this section is to indicate that D3 has some problematic consequences that both conciliationists and their opponents have underestimated. So, I will henceforth allow myself D3 as a sub-conclusion in order to consider its wider ramifications.

**4: TRANSPARENCY AND CORNERSTONE PROPOSITIONS.** Robust apparent peer disagreements are frequently not *de facto* peer disagreements. Consider, for example, anonymous disagreement, say, in an online discussion forum between laypersons. In such a case, the disagreement may amount to a robust apparent peer disagreement although the disagreeing individual is not a peer but an overconfident ignoramus.

It appears, then, that the warrant for a subject’s belief that *p* may be defeated or diminished even if the disagreeing person is not a peer at all but merely an overconfident ignoramus. So, such an individual may defeat or diminish perfectly good warrant. This problem is particularly pertinent in societies with a lot of such individuals. However, whether there are many such individuals depends to a large extent on the incentives and social norms. If individuals can benefit from posing as epistemic peers in cases where they are not and social norms does not lead to sanctions of such behavior that match the benefits, it is to be expected. This indicates the importance of considering the epistemic properties of disagreement from a communal perspective. According to a social externalist account, the social environment is a partial determiner of epistemic warrant (Graham 2010, 2016; Gerken 2013, 2020a). Cases of non-transparent and merely apparent peer disagreement make for another way in which the social environment bears on the warrant for disagreeing individuals as well as the more general epistemic position of the wider society. Consider, for example, a society in which it is non-transparent that a high ratio of apparent peer disagreements are not *de facto* peer disagreements. For example, it is not a far-fetched thought experiment to imagine a society in which various sorts of pundits weigh in on all sorts of issue with the authority of an epistemic expertise that they, in fact, lack.[[8]](#footnote-8) So, reasonably well informed citizens may encounter apparent robust peer disagreements with such pundits who are in fact inferior to them. In accordance with the *Argument from Self-Doubt*, warranted individuals who encounter such disagreements may, in many cases, respond with self-doubt which decreases their degree of warrant. Thus, diminished warrant through self-doubt in cases of disagreement may be partly but centrally explained by features of the general social environment. For example, the feature that pundits are incentivized to opine and provided with platforms in which they can do so in a way that may, in some contexts, convey epistemic expertise that they, in fact, lack. More generally, incentives to epistemic overconfidence and lack of social repercussions against it may lead to an overestimation of the cases of peer disagreement and, in the end, widespread self-doubt of the warrant-diminishing kind. Thus, features of the general epistemic community partly determine how prone disagreement is to diminish warrant through self-doubt.

However, it is important to note that epistemic community’s epistemic position may also be compromised by apparent peer disagreement in ways that do not centrally involve self-doubt. In consequence, I will invoke some further perspectives than those pertaining to self-doubt. One thing to note is that some disagreements may be about rather large domains of propositions. Such disagreements may be direct, as when a coherent set of propositions is disagreed upon. But it may also be indirect when a proposition is foundational to a larger set of propositions. This idea is related to but subtly different from Wright’s idea of a cornerstone proposition according to which a proposition is a “*cornerstone* for a given region of thought just in case it would follow from a lack of warrant for it that one could not rationally claim warrant for *any* belief in the region” (Wright 2004: 167-168).[[9]](#footnote-9)

Assume, for example, that disagreement about a proposition, *p*, is foundational to a domain, D. For example, *p* could concern the truth-conduciveness of a method used to generate beliefs about the propositions in D. Or *p* such that its epistemic status is reasonably thought to be representative of the epistemic status of the majority of propositions in D. In such cases, it is plausible that the following principle governs the domain D: *If there is expert peer disagreement about a proposition that is foundational to D, it is likely that there is widespread expert peer disagreement about propositions that belong to D*.

Hence, a single but robust apparent expert peer disagreement may lead to a very general defeat of warrant in the community, and this may be an enormous epistemic cost. Indeed, the primary damage may not be the disagreeing individual’s warrant but rather the general epistemic position of larger groups or even the general community. To illustrate this, consider the cornerstonish idea that scientific models are generally the most reliable source concerning a domain, D. (This could be climate science Winsberg 2012, 2018). However, if there is pervasive non-transparent apparent expert peer disagreement but not *de facto* expert peer disagreement about this proposition in the society, the result is a generally compromised epistemic environment. The point that apparent expert disagreement puts laypersons in a challenging epistemic position is familiar enough (Goldman 2001). However, it is not always appreciated that this epistemic cost of a prevalent type of disagreement should be taken into account when assessing the overall epistemic costs and benefits of disagreement for the wider community. In some cases, apparent expert peer disagreement may undermine testimonial warrant in the wider community because individuals may no longer be able to acquire warrant by testimony – even when the testifier is in fact a reliable expert.

A concrete case concerns the idea of *balanced reporting* – roughly, the idea that science reporters should, whenever feasible, report opposing hypotheses in a manner that does not favor any one of them. This principle of science reporting has been argued to undermine warranted public belief by representing disagreement between superiors and inferiors as an expert peer disagreement (Boykoff and Boykoff 2004; Figdor 2018; Gerken forthcoming a). Interestingly, the rationale for principle of *balanced reporting* is a broadly Millian epistemic one. However, if the critics (myself included) are correct that the epistemically misleading aspects of balanced reporting are more consequential than its purported epistemic benefits, it suggests a general lesson: One cannot assume, without empirical investigation and philosophical reflection, that furthering disagreement is epistemically beneficial to the general community. This lesson is important for an accurate assessment of the overall epistemic pros and cons of disagreement (Gerken Ms).

But the problems do not stop here. Testimonial warrant, or at least the externalist species of it – testimonial entitlement, is *particularly* endangered by if it is often non-transparent whether robust apparent epistemic peer disagreement is merely apparent. For the present purpose, I assume that a hearer, H, by accepting S’s testimony may acquire a kind of warrant that does not depend on H’s reasons or cognitive access to the warranting force of S’s testimony. That is, I suppose that H may acquire an *epistemically externalist* sort of testimonial warrant: Testimonial entitlement (Burge 1993, Graham 2010, 2016, Gerken 2013, 2020a).

Given the externalist nature of testimonial entitlement, it is vulnerable to disagreement. Since testimonial entitlement does *not* involve any access to the testifiers’ reliability and intentions, a completely unreasonable testimonial disagreement will defeat or strongly diminish the entitlement for testimonial belief. This may be problematic in social environments which contain a lot of “noise” that consists of unqualified opining.[[10]](#footnote-10) Again, this indicates the importance of considering the social environment in which testimony – including expert testimony – takes place.

For example, if the experts in a community are not easily recognizable, laymen may well be likely to voice their disagreement with the experts. Not only will this proliferate disagreements, it will moreover increase the problematic cases in which disagreements between epistemic inferiors and superiors are *mis*taken for peer disagreements. Likewise, if the evidence for the disagreeing parties is not transparent, many disagreements that are in fact best explained by flawed or inferior evidence will have the effect of peer disagreement on an audience. If individuals who are engaged in disagreements and subjects who are confronted with opposing testimonies are deprived of (part of) their entitlement in such bad cases, non-transparent epistemic disagreement can be epistemically bad news for individuals as well as groups. As in the cases above, an important culprit in such cases is the non-transparency of the nature and source of disagreement. But the consequences for testimonial entitlement may be among the most troublesome epistemically negative consequences of apparent epistemic disagreement.

In this section, I have considered some ramifications of *Argument from Self-Doubt* as well as a range of further perspectives on putative epistemic costs of various forms of disagreement in society. I make no comparative claim to the effect that the overall epistemic consequences of disagreement are negative or positive. As the discussion indicates, this depends a great deal on the nature of the disagreement, the general features of the social environment and the more specific context. Moreover, I make no claim that if the overall epistemic consequences of epistemic disagreement were negative, this would be a good reason to structure society less inclusively such that only the epistemically privileged voices are heard. On the contrary, I believe that other reasons for inclusiveness would trump such an argument (see, e.g., Fricker 2007; Gerken 2019). On the other hand, I will argue that this issue is more complex than it might seem because certain types of epistemic injustice may be generated in contexts of disagreement.

 However, even if the troublesome cases that I have called to attention are relatively rare, they should nevertheless figure in an overall assessment of the epistemic properties of disagreement. This should, in turn, figure in an overall assessment of disagreement from a communal perspective.

**5. DISAGREEMENT, SOCIAL COGNITION AND EPISTEMIC INJUSTICE.** So far, I have emphasized that there may be significant epistemic costs to both individuals and the wider community if it is not transparent whether a disagreement is a peer disagreement or merely an apparent one. In this section, I will continue to argue that these epistemic costs may yield further costs in terms of epistemic injustice. Fricker originally characterized epistemic injustice as the phenomenon as “a wrong done to someone specifically in their capacity as a knower” (Fricker 2007: 1). One species of it – *distributive* epistemic injustice – is a consequence of “the unfair distribution of epistemic goods such as education or information” (Fricker 2013: 1318). However, my focus here will be *discriminatory* epistemic injustice (‘DEI’ for short) which tends to be explained by *identity prejudices* that pertain to gender, class, race or social power.

 Fricker has come to substitute the knowledge-centric formulation to a broader one (Fricker 2013: 1320, 2017). This is reasonable since knowledge is not the only epistemic phenomenon that one may be wronged with regard to (see Gerken 2019 for explicit arguments). For example, discriminative epistemic injustice sometimes concerns the comparison between degrees of epistemic competence, trustworthiness or reliability and it is implausible that all of these phenomena can be reductively analyzed in terms of knowledge (Gerken 2017b).[[11]](#footnote-11) For example, someone who is better warranted than anyone else, although her degree of warrant is insufficient for knowledge, may unjustly be given a deflated level of credibility (see Gerken 2019 for a concrete case). Moreover, in the context of discovery, S’s hypotheses may be taken less seriously than S\*’s hypotheses for reasons pertaining to biases, stereotypes and prejudices.[[12]](#footnote-12) But hypotheses ventured during the context of the discovery are not typically known. Nevertheless, these cases may exemplify epistemic injustice and, specifically, testimonial injustice. Hence, the characterization of epistemic injustice should be broadened from concerning knowers to concerning epistemic subjects. Hence, I will use the following generic characterization of discriminatory epistemic injustice (from Gerken 2019):

***Generic DEI***

S suffers a discriminatory epistemic injustice if (and only if) S is wronged specifically in her capacity as an epistemic subject.

The left-to-right direction of *Generic DEI* is left parenthetical because I want to leave open the possibility of counterexamples to it. However, these need not concern us here I will only consider the right-to-left direction – i.e., the sufficient condition.[[13]](#footnote-13)

 As noted, disagreement may undermine testimonial warrant in the wider community. Consequently, it is worth highlighting a sub-species of discriminatory epistemic injustice – namely testimonial injustice which is, roughly, the sort of epistemic injustice that a testifier suffers. A central example of testimonial injustice occurs when a testifier is not believed due to a credibility deficit that is explained by the hearer’s being prejudiced against her social group. Due to the fact that we are bounded agents, we rely heavily on social stereotypes in the cognitive heuristics that generate our day-to-day assessments of epistemic competence. Regrettably, such folk epistemological stereotypes are often inaccurate and in consequence our judgments about who are epistemic peers are biased (Gerken 2017a, forthcoming c; Spaulding 2016; 2018). There are multiple strands of evidence for these broad assumptions about social cognition. Given the overarching aim of considering disagreement from a communal perspective, it is worth considering some of them in a bit further detail.

 Some of the most prominent strands of evidence for cognitive biases in assessment of epistemic competence are effects of gender and race in identical CVs (see, e.g., Steinpres et al 1999 and Moss-Racusin et al. 2012). The underlying explanation for such findings is that properties such as gender, race and age affect our social cognition considerable. We are extremely fast in categorizing individuals according to such properties (Ito et al. 2004; Kubota and Ito 2007). However, evidence suggests that social categorization in terms of gender, race and age is interwoven with our ascription of personality traits including cognitive ones such as competence or trustworthiness (Porter et al. 2008; Rule et al. 2013; Todorow et al. 2015).

 Research on in-group/out-group dynamics in social cognition support this picture. For example, we are more inclined to trust and cooperate with in-group than out-group members (see Balliet et al. 2014 for a meta-analysis). Likewise, we tend to extrapolate our own perspective to members of in-groups whereas we are more likely to rely on crude stereotypes in our assessment of out-group individuals whereas (Robbins and Krueger 2005; Ames et al. 2012). Furthermore, some studies indicate that we tend to attribute achievements of out-group individuals to circumstantial and environmental facts whereas we tend to attribute achievements of in-group members to personality traits (Brewer and Brown 1998; Brewer 2001). These tendencies reflect cognitive strategies that may be effective heuristics that allow us to make rapid social judgments and decisions. But the cost is that they are biased in various ways. In particular, the in-group/out-group dynamics may lead to overestimation of members of one’s in-group and underestimation of members of one’s out-group (Brewer 2001; Spaulding 2018).

 I have only noted a fraction of the empirical literature and methodological concerns about parts of social psychology call for caution in drawing overly strong conclusions. Yet, I take the empirical work on social cognition to motivate the following theses (see Gerken forthcoming c, Ms):

 ***Epistemic Overestimation***

 *Both accurate and inaccurate social stereotypes may lead evaluators to overestimate a subject’s epistemic position.*

 ***Epistemic Underestimation***

 *Both accurate and inaccurate social stereotypes may lead evaluators to underestimate a subject’s epistemic position.*

These theses reflect central aspects of our folk epistemology (Gerken 2017a). Unfortunately, both may lead to unjust patterns of credibility excesses and deficits and thereby to direct and indirect epistemic injustice. Cases of direct epistemic injustice may occur when *Epistemic Underestimation* is in play. *Epistemic Overestimation*, in turn,may lead to indirect epistemic injustice insofar as the overestimated individuals may gain an unfair epistemic advantage – cases of white male privilege are examples.[[14]](#footnote-14)

 This upshot bears fairly directly on cases of apparent peer disagreement. If our assessment of whether disagreeing parties – whether they be individuals or groups – are biased in the ways described, it will yield cases of apparent peer disagreement that are not *de facto* peer disagreement. When *Epistemic Underestimation* is operative, the result may be that epistemic superiors are regarded as peers or even inferiors. Likewise, *Epistemic Overestimation* may result in epistemic inferiors or peers being regarded as superiors by other members of the group that they belong to. In each case, a disagreement that should be settled in the favor of one side will appear to be a peer disagreement. Specifically, the members of the same group as one of the disagreeing parties may epistemically overestimate her or underestimate her opponent. The is epistemically costly for the entire community. Moreover, it may yield epistemic injustice in the form of testimonial injustice to the epistemically underestimated groups. For example, the members of such groups may be wronged in their capacity of testifiers. But, furthermore, this type of discriminatory epistemic injustice may interact with self-doubt in a manner that results in a vicious circle. To see this, let us return to the self-doubt that disagreement may cause.

 Several philosophers have emphasized how credibility deficits generate epistemic self-doubt: “…if a history of such injustices gnaws away at a person's intellectual confidence, or never lets it develop in the first place, this damages his epistemic function quite generally.” (Fricker 2007: 49. Jones 2012; Medina 2013). Fricker is primarily concerned with how decreasing intellectual confidence can compromise general cognitive virtues such as intellectual confidence (see also Jones 2012). However, the *Argument from Self-Doubt* suggests that if social stereotypes compromise a person’s confidence, it may have more specific bad epistemic consequences. After all, if one’s self-confidence is undermined by social stereotypes, one is more likely to regard oneself as a peer even though one is, in fact, a superior in a given disagreement. But, according to the *Argument from Self-Doubt*, the rational response is then to engage in yet *further* self-doubt. Thus, the person’s warrant for believing a specific proposition may be defeated or decreased as a result of the self-doubt generated by unjust assessments of her epistemic competence in conjunction with robust apparent peer disagreements. A further consequence may be that the person’s warrant is rendered impotent in the communal belief revision. Both these outcomes are manifestations of a type of epistemic injustice for a group as well epistemic costs for the wider community. So, again, the communal perspective on disagreement indicates some bad news.

 Fricker emphasizes how testimonial injustice may occur when speakers suffer credibility *deficits* that are due to our reliance on biased cognitive heuristics. However, unjust epistemic privilege in the form of credibility *excesses* may be equally harmful (Davis 2016). For a person who enjoys credibility excesses is more likely to be regarded as an epistemic peer even though he is not in fact a peer. This is an epistemic injustice in its own right. Moreover, as the *Argument from Self-Doubt* indicates, it may also lead to increased self-doubt among those who do not enjoy credibility excesses. After all, systematic credibility excesses of certain people will situate others in more disagreements which misleadingly appear to be robust peer disagreements than they otherwise would experience. The consequence may be self-doubt that diminish individual’s antecedent warrant. Furthermore, systematic credibility excess of certain people may also distort the process of rational communal belief revision in a manner that is not truth conducive. For example, disagreements between superiors and inferiors may be taken to be peer disagreements by observers who may, in consequence, be overly zealous in withholding judgment.[[15]](#footnote-15) Thus, both epistemic privilege and epistemic marginalization may in the context of disagreement lead to epistemic injustice as well as to further bad epistemic consequences for the community as a whole.

 Such epistemic injustices may reinforce the original epistemic injustices that cause them. For a person who acts deferentially is thereby conforming to the troublesome stereotypes. Hence, epistemic agents who endure unjust credibility deficits may easily be caught in a vicious self-reinforcing circle of increasing marginalization. Epistemic underestimation of the group may increase the cases of merely apparent peer disagreement which in turn leads to self-doubt which in turn leads to further epistemic underestimation. And so on. And so forth (see also, de Bruin forthcoming)

The vicious circle is not merely bad news in terms of epistemic justice for those individuals and the groups to which they belong, it is also epistemically bad news for the community as a whole. After all, the predicament skews the potentially beneficial process of rationally revising or calibrating our beliefs in the face of peer disagreement. The promise of peer disagreement as a means to rational communal belief revision requires that we are reasonably good at tracking epistemic peerhood. But the fact that we heavily rely on stereotype-driven cognitive heuristics in our epistemic assessments of others compromises our ability to meet this requirement (Spaulding 2018). Thus, disagreement may yield epistemic injustice and that this may have bad epistemic consequences that can reinforce and amplify such epistemic injustices. This too is a cost that should figure in the overall assessment of disagreements epistemic properties.

**6: DIAGNOSIS AND STEPS TOWARD A CURE:** The arguments to the effect that epistemic disagreement can be epistemically problematic, and epistemically unjust for certain groups do not provide a solid basis for *weighing* the potentially negative aspects of disagreement against their positive consequences. However, the same is true of many of the prominent arguments in *favor* of disagreement in which its adverse effect rarely plays a role. Consequently, I have by no means sought to argue that the varieties of epistemic injustice associated with disagreement are worse than the injustices associated with suppressing disagreement.

Nevertheless, it may be worthwhile to briefly consider the putative negative consequences of epistemic disagreement considered so far. Likewise, it will be worthwhile to briefly consider how the noted challenges due to disagreement may be countered.

**6.1: Tentative diagnosis:** Before attempting to prescribe a cure, we should diagnose the problems. A diagnosis may begin by noting that the discussed cases of epistemic disagreement were problematic in part because of non-transparency. A rough and partial diagnosis of such cases, then, is that lack of transparency of whether the disagreement is a peer disagreement often contributes to their epistemically negative consequences. If this rough diagnosis is on the right track, some of the epistemically negative effects of disagreement may be partly countered if the nature of the disagreement is transparent to the disagreeing parties as well as to the broader community. Consider cases in which an expert disagrees with a layman who she reasonably assumes to be another expert. Assume, for example, a meteorologist who, at a meteorology conference, encounters a layman who is willing to bet that the next week will be exceptionally windy. Our expert carefully reviews the data and comes to disagree. However, given the reasonable presumption that the layman is an epistemic peer, the meteorologist should be less confident in her belief that the next week will not be exceptionally windy. (Yet she might still do well in taking the bet). However, if it is made clear to her that the layman is not a peer, she should discard the disagreement as an occasion for revising her belief. (Also, she should clearly take the bet).

Likewise, in many cases of expert disagreement, *sharing the evidential basis* for the verdict may well be central. For in many such cases, the disagreeing experts are not really epistemic peers in virtue of violating (i). They do not in fact have relevantly similar evidence. Moreover, even genuine peer disagreement is often explained by a performance error by one of the sides. So, increasing the transparency of the evidence and reasoning underlying the verdict may contribute to resolving the disagreement in a rational manner. This is a central reason why scientists do not merely present their conclusions but also their evidence and methodology in order to subject it to the scrutiny of the scientific community (Longino 1990; Gerken 2015, Ms). In both scientific and everyday cases of apparent peer disagreement, increased transparency will help decrease the cases in which a disagreement is mistakenly taken to be a peer disagreement (Gerken forthcoming a). This too may, at least in some cases, help address epistemic injustices that arise from reliance on crude social stereotypes rather than a proper assessment of the agent’s epistemic competences and resources.

A residual set of cases of rationally presupposed peer disagreement is likely to remain. But discerning at least some of the look-alike cases from the genuine cases of peer disagreement will be epistemically valuable insofar as it contributes to minimizing the noted negative impact of epistemic disagreement. I propose that transparency of the factors, (i)-(iii), that characterize peer disagreement is central to the process of weeding out cases of apparent peer disagreement and, more generally, over and underestimation of epistemic competence.

Consider the empirical conjecture that a significant majority of cases of *apparent* peer disagreement are not *de facto* peer disagreement. If this conjecture is true, promoting transparency of (i)-(iii) may help counter the noted negative aspects of epistemic disagreement as well as to some of the epistemic injustices that it gives rise to.

Of course, there are also considerations against this diagnosis. For example, I have only considered select cases of a couple of species of disagreement. So, the diagnosis may well lack generality. Moreover, I have not argued that the epistemically positive aspects associated with increasing transparency outweigh the putative negative aspects. For example, it might be that simply presupposing that apparent peer disagreement is genuine is a heuristic that is, in many cases, *boundedly rational*. After all, the suggested alternative may be too demanding given our limited cognitive resources. However, this concern may be alleviated by considering the transparency-promoting measures that we might take as a community rather than as individuals.

**6.2: Steps toward a cure:** What may be done in order to organize a community so as to minimize the problems discussed? As a manner of conclusion, I will pursue some tentative suggestions for amelioration. The ameliorative suggestions will be tentative in part because I will rely on the diagnostic suggestion above that increasing the transparency of the nature of disagreement is epistemically beneficial.[[16]](#footnote-16)

 In any case, it is worth considering how a community may be structured, legally and otherwise, so as to further that disagreement is transparent wherever it may occur. One measure that can be taken, and *is* taken in many societies, consists in a proper *labeling* of experts (Goldman 2001). However, despite some labeling of experts, one often finds cases in which disagreements are presented as peer disagreements although they are not. As already noted, the free press in liberal democracies frequently invokes the journalistic norm of *balanced reporting* when reporting disagreement regarding some controversial topic – e.g., climate change – as a peer disagreement although it is not (Boykoff and Boykoff 2004; Figdor 2018, Gerken forthcoming a). This practice of science communication is epistemically problematic although it may be refined so as to minimize the misleading appearance of peer disagreements (Gerken forthcoming a, Ms). Furthermore, it is not clear that such refinements need decrease inclusiveness or that they otherwise generate epistemic injustices. Calling a layperson a layperson is compatible with giving him a hearing on a topic on which he disagrees with the experts.

Experts themselves also face a serious responsibility of clarifying when they are speaking qua experts and, in particular, when they are not. Very often an expert in some domain, D, will be treated as an expert in a different domain, D\*. In such cases of what I call *expert trespassing testimony*, it is important for the expert to be explicit about the fact that she is not speaking qua expert (Gerken 2018; Ballantyne 2019).

A suggestion that is both more abstract and more controversial is to maintain a “culture of reason-giving” in cases of disagreement. If explicating the reasoning behind a disagreement is overall epistemically beneficial, it might be worth thinking about how to promote reason-giving in public debates as well as in science communication (Gerken forthcoming b, Ms). However, the suggestion is so abstract that it is not clear how to implement it. Moreover, it may be in tension with the epistemically beneficial properties of trust (see, e.g., Hieronymi 2008, Nickel 2009; Faulkner 2011, Hawley 2012, 2019). It may be that it is, in many contexts, important to trust someone rather than require reasons for believing them. If there is such a tension, the optimal trade-off between trust and transparency is an issue that requires considerable conceptual and empirical investigation (Gerken Ms).

Another set of issues concerns the degree of disagreement that should be promoted. These issues are extremely hard because they intersect with questions regarding liberal rights such as freedom of speech. However, measures may be taken to minimize obvious noise without compromising liberal rights (Gerken 2018). For example, it is fairly uncontroversial that it is legitimate to maintain forums in which only scientific experts may voice opinions. Such forums are already upheld, and peer-review journals and academic conferences are salient examples. These do not seem epistemically unjust in their own right although they may manifest *distributive* epistemic injustice (Fricker 2007; 2013). As I have argued above, an excessive degree of disagreement may be epistemically problematic in various ways. Maintaining restricted forums of debate is a legitimate way of handling excessive disagreement without disallowing, or even hampering, it.

I reemphasize the tentativeness of these suggestions which are conditional on the rough diagnosis above and involve some important empirical questions. However, I hope that the suggestions indicate why it is important to pursue a more precise empirical and philosophical diagnosis of the epistemic consequences of disagreement.

**6.3: Concluding Remarks:** Much contemporary epistemology has inherited the focus the positive aspects of epistemic disagreement that Mill expressed so powerfully:

[T]he peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth; if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error. (Mill, 1859/2002, Chap 2).

Mill’s picture is a compelling one because it goes hand in hand with the extra-epistemological case for freedom of speech. In contrast, the present consideration from a communal perspective suggest that the full *epistemological* picture is more complicated. However, I have not considered the arguments for the positive epistemic aspects of disagreement. So, the discussion does not leave us in a position to adjudicate on the trade-off between disagreement’s positive and negative epistemic aspects. Thus, further philosophical and empirical work on epistemic disagreement is required. Likewise, the present discussion suggests that further research should pay attention to the issues regarding the transparency of disagreement.

While the present discussion is preliminary, it suggests that while disagreement can be a good thing, there can be too much of a good thing. This is especially so once we elevate the gaze from the disagreeing individuals to the groups and community that they are members of. So, I have sought to *counterbalance* the historical and contemporary emphasis on the epistemically positive features of disagreement. In particular, I have emphasized that non-transparent disagreement may have epistemically bad consequences in a wider array of cases than has been appreciated. Since these consequences are non-negligible, they should figure in an overall account of the epistemic properties of disagreement.

Finally, I only briefly considered the relationships between the epistemic and the ethical sides of disagreement. But even the present preliminary discussion of epistemic injustice indicates that these relationships are extremely complex ones. It is safe to say, however, that the epistemological issues pertaining to disagreement have very significant ethical ramifications. So, if non-transparency is a major culprit and it is possible to restructure aspects of society as to diminish it and do so without any bad consequences, we may be both epistemically wise and morally obliged to do so.[[17]](#footnote-17)

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1. Terminology: I use the term ‘warrant’ as a genus for a positive, but non-factive, epistemic property which harbors both epistemically internalist species – labeled ‘justification’ – and epistemically externalist ones – labeled ‘entitlement’ (Burge 2003). I assume that there are both testimonial justifications and testimonial entitlements (Gerken 2013 and 2020). [↑](#footnote-ref-1)
2. This is merely a terminological choice. Sometimes, ‘disagreement’ is characterized in a way that requires conflicting attitudes. I will leave it open what constitutes a non-negligible difference by focusing on clear cases of conflict. [↑](#footnote-ref-2)
3. While I will not thematize the nature of cognitive diversity here, I take cognitive diversity to differ from disagreement in that it may not be reflected in the attitudes of the diverse individuals or groups, but rather reflected in norms, practices and values. In contrast, I take disagreement to be constituted by an attitudinal difference in doxastistic state or degree thereof (for further perspectives on diversity, see List 2006, Muldoon 2013). [↑](#footnote-ref-3)
4. The assumption is not uncontroversial (Kelly 2005, 2010, Lackey 2008a, 2008b). However, theorists who emphasize the epistemic benefits of peer disagreement typically uphold it. [↑](#footnote-ref-4)
5. For discussion of the relevant notion of doubt, see (Christensen 2007b, Jones 2012). [↑](#footnote-ref-5)
6. Of course, some theorists uphold a thesis that is stronger than D2 – viz. an *overtly* normative analog. For example, the argument appears to be compatible with Christsensen’s central normative assumptions (Christensen 2007a). [↑](#footnote-ref-6)
7. The present-tense formulation is meant to indicate that the principle is synchronic. It concerns the appearance of a peer disagreement at the time of the disagreement (see Matheson 2015a for a discussion of synchronic vs diachronic principles). [↑](#footnote-ref-7)
8. This phenomenon is related to but subtly different from the problem of scientific expert trespassing testimony in which an expert in a domain, D, provides testimony in a domain, D\*, in which she lacks epistemic expertise (Gerken 2018, forthcoming a, b, Ms; Ballantyne 2019). [↑](#footnote-ref-8)
9. One difference is that Wright’s notion entails that if the warrant for the cornerstone is defeated so is the warrant for all the propositions in the region of thought (Wright 2004). The present idea is compatible with the assumption that defeat of the proposition in question only *diminishes* warrant for many of the propositions in the region of thought. Moreover, the candidate cases of foundational propositions that I consider differs from the cases that Wright focuses on. [↑](#footnote-ref-9)
10. An epistemically externalist analysis would have to consider the circumstances in which apparent peer disagreement tends to occur. If disagreement tends to occur only when individual reliability is low, disagreement may be generally truth-conducive. If disagreement tends to occur despite high individual reliability, then disagreement may not be generally truth-conducive. It is an empirical question which antecedent holds. [↑](#footnote-ref-10)
11. While this assumption is controversial, I will here rely on previous arguments for it and against knowledge-first epistemology in general (cf. Gerken 2011, 2012, 2014, 2017a-b). [↑](#footnote-ref-11)
12. Thanks to Miranda Fricker (in correspondence) for this type of case. [↑](#footnote-ref-12)
13. Note that Generic DEI is a genus that may harbor various species such as testimonial and hermeneutical injustice (Fricker 2007). For example, testimonial injustice may be characterized by replacing ‘epistemic subject’ with ‘testifier.’ [↑](#footnote-ref-13)
14. Note that this account does not entail that the evaluators are culpable although I think this is often the case – even when they are ignorant of their sub-conscious cognitive heuristics. Yet, individuals and groups may suffer a systemic epistemic injustice even if the relevant evaluator is not blameworthy for it. [↑](#footnote-ref-14)
15. Although the matter is complicated, it should also be noted that while credibility excess tends to come with practical advantages that accrue to being regarded as trustworthy and convincing, it may also come with epistemic costs. For example, if S is epistemically inferior to S\* with regard to the domain, D, but is regarded as an epistemic peer, S’s ability to acquire warranted belief by deference may be compromised. [↑](#footnote-ref-15)
16. Here it is worth noting a perspective on non-transparency due to Hawthorne and Srinivasan who argue that prospects are bleak for articulating “perfectly operationalizable” norms that may guide an agent’s responses to disagreement (Hawthorne and Srinivasan 2013). Their central reason is that the epistemic conditions figuring in the norms are not transparent to the disagreeing parties. Hawthorne and Srinivasan’s proposed norm for disagreement, their notion of perfect operationalizability and their notion of transparency are articulated in terms of knowledge. I do not accept these “knowledge-centric” characterizations. But, as Hawthorne and Srinivasan note, much of their discussion applies more widely (Hawthorne and Srinivasan 2013: 13). In particular, their point that non-transparency renders it difficult to articulate norms that may guide agents situated *within the context* of epistemic disagreement may be congenial to the present diagnosis. But this is compatible with considering how to minimize problematic cases of epistemic disagreement in the first place. This will be my approach. [↑](#footnote-ref-16)
17. This chapter is a descendent of a fraction of paper first drafted around 2008 and presented at a conference at Vrije University, Amsterdam (2009), two workshops at the University of Copenhagen (2009, 2012), an epistemology workshop in McGill (2013), Bled Epistemology Conference (2013). I am grateful to these audiences for feedback. Embarrassingly, my records of individuals who helped me are in shambles. I keep a file for keeping track of interlocutors but because the paper was broken up, restructured several times, I managed to mess it up for this paper. I apologize to others who helped but who I failed to keep track of – my bad, not OK! However, I strongly suspect that Kristoffer Ahlström-Vij, Klemens Kappel and Nikolaj Jang Pedersen commented on an early draft and I recall discussing/corresponding about material from the paper with David Christensen, Philip Ebert and Chris Kelp. Finally, Adam Carter and Fernando Broncano-Berrocal provided helpful substantive and editorial comments on a late draft. [↑](#footnote-ref-17)