Companions in Guilt Arguments in the Epistemology of Moral Disagreement[*]

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Our epistemic peers about whether *p* are our epistemic equals about whether *p*; more specifically, they are those who are just as reliable as we are about whether *p* or just as likely to be right about whether *p* as we are. Suppose I'm playing a game of street hockey with some friends. We're all epistemic peers about what the score is. The philosophers with whom I went to grad school are my epistemic peers about any randomly chosen question about contemporary philosophy or the history of philosophy. Suppose I'm stood outside at a street party. Everyone around me is my epistemic peer about whether it is currently raining.[i]

Suppose you believe that *p* but then come to realize that someone whom you believe to be your epistemic peer disagrees with you about whether *p*. Conciliationists argue that this peer disagreement defeats your justification for believing that *p*. For instance, suppose that you find yourself in a disagreement about whether Miles Davis was born before Chuck Berry. You say Davis was born first, your friend says Berry was. You believe that your friend is just as knowledgeable as you are about 20th century jazz and 20th century rock'n'roll. You're right (just) that Davis was born first and you were previously justified in believing this. But according to conciliationists, this peer disagreement makes it the case that you are no longer justified in believing that Davis was born first.[ii]

In a well-known paper, Sarah McGrath argues that we find ourselves in peer disagreements about many moral issues. And this fact shows that we have far less moral knowledge than we think that we have. But, McGrath argues, this scepticism does not extend to non-moral (at least non-philosophical and non-religious) knowledge.

In a paper in *Oxford Studies in Metaethics* Jason Decker and Daniel Groll make two companions in guilt arguments against McGrath's scepticism. They argue that the epistemic problems with moral knowledge that McGrath discusses are problems that also afflict particular instances of non-moral empirical knowledge. Namely, our knowledge that the earth is millions of years old and Marilyn vos Savant's knowledge that her solution to the Monty Hall problem was right prior to disagreement about it diminishing. But it is implausible that vos Savant didn't know her solution was correct and that we do not know that the earth is millions of years old. So, although there may seem to be epistemic problems with our having moral knowledge, these problems are not genuine. For if they were, an implausible general scepticism would hold. Or to put Decker and Groll's argument a different way: McGrath's moral scepticism overgeneralizes and generates a scepticism about non-moral propositions that it shouldn't generate a scepticism about—McGrath's argument is only intended to generate a scepticism about moral knowledge.

In §1 I explain McGrath's argument in detail. In §2-3 I argue that the premises of McGrath's argument do not entail the broader scepticism that Decker and Groll claim they entail once we add to these premises that peer disagreement doesn't defeat knowledge in certain conditions involving qualitative parsimony, unanswered arguments and objections, and error theories. But McGrath's argument still yields a scepticism about moral knowledge even with these additional premises added to it. In §4 I discuss the implications of my anti-companions in guilt defence of McGrath's scepticism for the epistemology of moral disagreement more generally.

1. McGrath's Argument

According to conciliationists, finding oneself in a peer disagreement about whether *p* defeats the justification of one's belief regarding whether *p*. McGrath's version of conciliationism is the following:

> *Conciliationism*. If you believe that *p*, another believes that not-*p*, and you have no more (disagreement-independent) reason to believe that they are in error about whether *p* than that you are, then you do not know that *p*.[iii]

McGrath claims that we should hold *Conciliationism* because it explains our intuitions about cases like the following:

Suppose that you and your friend Alice intend to take the train together but discover that you have different views about what time it is scheduled to depart: you think that the train departs at a quarter past the hour, while she thinks that it departs at half past. Perhaps you have some good reason to think that Alice is the one who has made a mistake. For example, perhaps you know that she arrived at her view by consulting a train schedule that is out of date, while you arrived at yours by consulting the current schedule. Or perhaps you know that Alice is prone to carelessness with respect to such matters, as she has a past history of having made similar mistakes. But suppose instead that you have no such reason to think that it is Alice who has made the mistake: as far as you know, it is just as likely that you are mistaken as that she is. In that case, it seems that your belief about what time the train leaves does not amount to knowledge. (McGrath 2008: 91-92)

Others provide arguments for conciliationism and other similar principles based on the famous restaurant bill checking case and cases similar to the Chuck Berry/Miles Davis case discussed in the introduction to this paper.[iv]

Conciliationism involves the caveat that we must have more *disagreement-independent* reason to believe that those with whom we disagree are in error than that we are. McGrath doesn't include this caveat. But it's needed. For in her train timetable case we have reason to believe that we are not in error and that Alice is in error. For if we believe that the train departs at 9.15 and she believes it departs at 9.30, then we have reason to believe that she is in error because we remember seeing the time listed as 9.15 on the timetable. McGrath's conciliationism is supposed to rule reasons like this inadmissible. But this requires stating, as is standard amongst conciliationists, that in cases like the train timetable case we know that *p* only if we have a *disagreement-independent* reason to believe that Alice is error rather than ourselves. If we came to know that Alice is in fact drunk or lying, this would be a disagreement independent reason (see §3 below). But a reason for believing that those with whom one disagrees about *p* are in error about *p* is disagreement-independent only if it is not part of one's original basis or reasoning for coming to believe that *p*.[v]

McGrath's principle makes no explicit reference to epistemic peerhood. But it's quite clear that she's concerned with disagreements where we should take those with whom we disagree to be our approximate epistemic peers. Since in her timetable case she stipulates that as far as you

know Alice is just as likely to be right about the time the train leaves as you are. Furthermore, McGrath takes her conciliatory principle from an epistemic principle of Sidgwick's. And this principle of Sidgwick's is widely held to be a (conciliationist) principle about how disagreements with our epistemic peers affect the epistemic status of our beliefs.[vi] So, I'll sometimes refer to the disagreements that are the topic of this paper as disagreements with epistemic peers.[vii]

Call our controversial moral beliefs our

> beliefs about the correct answers to the kinds of questions that tend to be hotly contested in the applied ethics literature as well as in the broader culture: questions about the circumstances (if any) in which it is morally permissible to administer the death penalty, or to have an abortion, or to eat meat, or about how much money we are morally obligated to donate to those in dire need, and so on. (McGrath 2008: 92-93)

We have many controversial moral beliefs. If you have a belief about any of the aforementioned topics or about whether it's always, or mostly, wrong to break promises or lie, whether it's wrong for a physician to help someone take their own life, or what we ought to do in trolley cases, then you have controversial moral beliefs. Similarly if you believe that affirmative action or a strongly redistributive state are right and just (or the opposite), then you have controversial moral beliefs. In the US the majority of people believe that the death penalty is morally acceptable, polyamorous relationships are morally wrong, and that animal cloning is wrong.[viii] Many philosophers do not believe these things and so have controversial moral beliefs. So, disagreement about the subjects of our controversial moral beliefs is widespread.

McGrath argues that when there is widespread disagreement amongst relatively similar creatures, in relatively similar circumstances, about whether X instantiates some property (for instance, in the moral case, whether some action ϕ has the property of being morally wrong), this 'seems to show that that kind of creature is simply not well equipped to detect the presence or absence of the property in question'.[ix] McGrath argues on this basis that

Peer Disagreement about Morality. We have no more (disagreement-independent) reason to believe that those with whom we disagree about controversial moral issues are in error than that we are.

It follows from *Conciliationism* and *Peer Disagreement about Morality* that

Moral Scepticism. Our controversial moral beliefs do not amount to knowledge.[x]

I'll assume for the course of this paper—as it seems that Decker and Groll do—that *Peer Disagreement about Morality* holds.[xi]

McGrath argues that this case for moral scepticism does not entail a broader epistemological scepticism: it does not entail that we have very little non-moral knowledge or that we do not know things that it is extremely plausible that we know such as that there is an external world or that humans evolved from other species. This is for two reasons. First, McGrath argues that we should accept

Consensus Exemption. You have disagreement-independent reason to believe that those with whom you disagree about p are in error about whether p rather than that you are if there is widespread consensus on your view regarding p.

Given the *Consensus Exemption*, *Conciliationism* is consistent with the view that we know that there is an external world because there is widespread consensus that there is an external world.[xii]

Second, McGrath argues that we should accept

Expert Support Exemption. You have disagreement-independent reason to believe that those with whom you disagree about p are in error about p rather than that you are if the experts agree with you about p.

And given the *Expert Support Exemption*, *Conciliationism* is consistent with the view that we know that human beings evolved from other species because, although there is disagreement about this matter, the experts agree that human beings evolved from other species.[xiii] In contrast,

McGrath argues that: we do not know that there is expert agreement about any moral issue. According to McGrath, in order to be able to recognize that someone *S* is an expert with regards to a certain type of fact *F*s we need to be able find an independent check that *S* is more reliable than most others when it comes to *F*s. Where a check is independent only if there is no significant controversy that it constitutes an independent check on someone's reliability.[xiv] And, according to McGrath, we have nothing like an independent check regarding moral facts.

Consider weather forecasters. We can identify, and know, that weather forecasters are experts about the weather because we have an independent check on their reliability, namely the correctness of their past meteorological predictions, which are not subject to controversy. Via the correctness of their past predictions we can identify that they are more reliable regarding the weather than we are.[xv] But we cannot assess the reliability of moral philosophers, priests, or others, regarding controversial moral issues in a similar way. This is because we do not have recourse to a set of agreed upon moral facts, the status of which—as moral facts—is not subject to controversy. So although we can identify experts about the weather we cannot identify experts about morality. So, McGrath concludes, disagreement about moral issues precludes many of our moral beliefs from constituting moral knowledge even though disagreement about many non-moral topics does not preclude us from having knowledge of these topics.[xvi]

2. Evolutionary Biologists and Young Earthers

Decker and Groll argue that, even given the *Consensus Exemption* and the *Expert Support Exemption*, McGrath's *Conciliationism* still entails that neither we nor evolutionary biologists know that the earth is millions of years old rather than 6,000-10,000 years old. There is significant disagreement about whether the earth is 6,000-10,000 years old, as young earthers hold, or millions of years old, as evolutionary biologists hold. Furthermore, there is significant disagreement about whether the experts regarding the age of the earth are the evolutionary biologists who hold that the earth is millions of years old or the pastors who disagree with them and hold that the earth is between 6,000 and 10,000 years old. Young earthers hold that their pastors and not evolutionary biologists are the experts regarding this matter. And, at least according to McGrath, we can know that *A* rather than *B* is the expert regarding *p* only if we have an independent check that shows that *A* rather than *B* is the expert regarding *p*.[xvii] But in the case of the disagreement between evolutionary biologists and some young earth pastors we

have no such check. This is because the only candidate for an independent check on evolutionary biologists being the experts rather than young earth pastors is the fossil record. But according to some young earth pastors the evidence provided by the fossil record is misleading evidence. They claim that although the fossil record appears to show that the earth is much older than 10,000 years old this evidence was planted by God so that the world appears much older than it in fact is. But in this case the fossil record does not demonstrate that—is not an independent check that—evolutionary biologists rather than the young earth pastors are correct, since the fossil record is consistent with the views of the young earth pastors who hold that this evidence is planted misleading evidence.[xviii]

If McGrath's conciliationism entails scepticism about the age of the earth, then McGrath's argument that her conciliationism entails moral scepticism without entailing a broader epistemological scepticism fails. Furthermore, in this case we may have good reason to reject her conciliationism because we have good reason to reject scepticism about the age of the earth. However, as I'll argue in the rest of this section, McGrath's conciliationism does not entail scepticism about the age of the earth. This is because there is a circumstance that McGrath leaves out in which peer disagreement about whether p does not undermine our belief regarding whether p.

In order to preserve scientific as well as everyday epistemic practice we must hold that theories that entail the existence of fewer new kinds of things are preferable to theories that entail the existence of more new kinds of things. For instance, other things equal, we should prefer the view that Sasquatch doesn't exist to the view that it does. And Lavoisier was justified in holding that phlogiston does not exist because all the evidence for phlogiston could be explained in terms of the properties of oxygen (which he, and everyone else, was already committed to the existence of). So, if we can accept either theory $T1$ or theory $T2$ (but not both) and $T2$ entails the existence of new kinds of things in addition to those that $T1$ entails the existence of (without explaining any more than $T1$), then we should accept $T1$ rather than $T2$.[xix] If such a qualitative parsimony requirement did not hold, it would be hard to justify negative existential beliefs in new kinds of things that we don't need to explain anything such as the beliefs that unicorns, centaurs, reptilians, the Loch Ness monster, and Sasquatch do not exist.[xx]

Now with this parsimony requirement in mind consider

Qualitative Parsimony Exemption. You have disagreement-independent reason to believe that another is in error about whether *p* rather than that you are in error about whether *p* if all other things are equal regarding your view about *p* and their view about *p* except that your view about *p* is more qualitatively parsimonious than theirs.[xxi]

This exemption is intuitively plausible and seems to be one that conciliationists should hold. For without it, it would be hard for conciliationists to explain why, though many believed in the existence of phlogiston, Lavoisier was justified in believing that it did not exist after his discovery that all the evidence for phlogiston could be explained in terms of the properties of oxygen. Similarly, without such an exemption it is hard to hold that those who came to believe that Aristotelian science was mistaken in the wake of the mechanistic explanations of the scientific revolution were justified in doing so despite disagreement with those who still believed in Aristotelian science. Since these mechanistic explanations did not falsify Aristotelian science but rather rendered the properties that Aristotelian science posited superfluous.[xxii]

Given the *Qualitative Parsimony Exemption*, McGrath's conciliationism does not entail scepticism about the age of the earth since the young earth pastors' view that the earth is young but God planted misleading evidence that makes it seem millions of years old is a less qualitatively parsimonious view than evolutionary biologists' view that the earth is millions of years old. The thesis that the fossil record is not misleading and the earth has been around for more than 10,000 years is more qualitatively parsimonious because it entails the existence of fewer kinds of entities: the young earth hypothesis that is consistent with the fossil record holds that misleading evidence was planted by God and so entails that supernatural entities exist; the old earth hypothesis does not entail that any such supernatural kind of entity exists.

I've encountered several objections to the defence of McGrath's scepticism that I've been making in this section. I'll discuss two. According to the first objection, in order to invoke parsimony to show that we are right and young earthers are wrong, it would have to be the case that we have an independent check that shows that the qualitative parsimony exemption holds or that gives us reason to believe this. But we have no such check. So, we cannot invoke this exemption.

However, we do not need to hold the view, and McGrath's argument does not entail the view, that we can invoke q to show that we can know p even though there is significant disagreement over whether p only if we have an independent check on whether q. Indeed, McGrath's argument seems to involve the view that we can invoke q just so long as the majority agrees that q. For according to the *Consensus Exemption*, we can know that p even in light of peer disagreement regarding whether p so long as there is widespread consensus that p. Similarly, the reason why we can invoke the greater parsimony of a hypothesis as an independent reason to believe that hypothesis over a contrary hypothesis is that the vast majority who have thought about it agree that we should accept such a qualitative parsimony requirement. Prominent religious philosophers and theologians, such as William of Ockham, Thomas Aquinas, Immanuel Kant, and Richard Swinburne, are amongst the most well-known proponents of qualitative parsimony requirements.[xxiii] As far as I can tell no young earthers reject a qualitative parsimony requirement; indeed some explicitly accept very strong qualitative parsimony requirements.[xxiv] It is very hard to reject such a qualitative parsimony requirement. Since rejecting such a requirement would commit one to the view that Lavoisier was not justified in his disbelief in phlogiston and that negative existential beliefs in new kinds of things (Sasquatch, the Loch Ness monster, etc.) are not in general justified.

A second objection claims that the qualitative parsimony exemption has counter-intuitive implications. According to this objection, if we can retain knowledge that not-p in the face of disagreement with our epistemic peers regarding p just because not-p is more qualitatively parsimonious than p, then Berkelian idealists who hold that there is no material world can know that there is no material world (if there is not) despite their disagreement with materialists because Berkelian idealism is more qualitatively parsimonious than materialism.

It is true that one theoretical virtue of Berkelian idealism is its qualitative parsimony. However, the parsimony of this view leads to problems that make it less plausible than its competitors and that make other things not equal between Berkleian idealism and the views with which it competes. So my argument does not entail that proponents of Bekleian idealism can know that their view is true. Since my argument only involves the claim that if all other things are equal between theory 1 and theory 2 but theory 1 is more qualitatively parsimonious than theory 2, then we can know that theory 1 holds even if there is peer disagreement about whether theory 1 or 2 holds. So, we should accept the qualitative parsimony exemption. And given this exemption, McGrath's argument doesn't entail scepticism about the age of the earth.

3. Vos Savant's Knowledge in the Face of Disagreement

In 1990 a reader of Marilyn vos Savant's column in *Parade* magazine wrote to her with the following question:

> Suppose you're on a game show, and you're given the choice of three doors. Behind one door is a car, behind the others, goats. You pick a door, say number 1, and the host, who knows what's behind the doors, opens another door, say number 3, which has a goat. He says to you, "Do you want to pick door number 2?" Is it to your advantage to switch your choice of doors?

In her response in her column, vos Savant claimed that you should switch in this situation and gave an argument for this view. Vos Savant's column provoked an incredible response. She received letters from Professors and others in the possession of one, or more, Ph.Ds in mathematics from various institutions around the world. Vos Savant stuck to her guns, printed many of the prestigious letters opposing her solution in her column, and provided additional arguments for her claim. The controversy was only diminished after vos Savant and *Parade* aggregated the results of around 1,000 school experiments conducted in response to vos Savant's initial article that showed that she was right, that the probability of winning the car goes up if you switch. [xxv]

Decker and Groll claim that McGrath's argument implausibly entails that vos Savant did not know that her solution to the Monty Hall problem was right until either disagreement about this was severely diminished or many empirical tests showed that her solution was correct. This is because vos Savant found herself in a peer disagreement about whether you should switch, there was a substantial division of opinion about this issue, and many of the experts on this issue disagreed with her about it. [xxvi]

It may be the case that McGrath's argument as it stands does entail that vos Savant didn't know her solution to be correct before disagreement dissipated or the empirical checks were carried out. But in this section I'll argue that this is only because McGrath's argument as it stands leaves out one type of circumstance in which we have disagreement-independent reason to

believe that someone whom we previously judged to be our epistemic peer about whether *p*, and who disagrees with us about whether *p*, is wrong about whether *p*.

Suppose that Alice and Beth are scheduled to appear together in court and must take a particular train in order to get there on time. Given the importance of their court appearance Alice studies the train schedule very carefully, repeatedly checking that that she has not misunderstood anything, and she believes that Beth has similarly studied the train schedule very carefully. On the day of their court appearance Alice checks the timetable one final time and gets to the platform 10 minutes before the time she believes the train will depart. Beth is not there. So, Alice calls Beth to ask why she is not on the platform. Beth tells her the train is not for another hour. In this case Alice's realization that Beth disagrees with her plausibly does not undermine her knowledge of when the train is set to depart even if prior to realizing that she and Beth disagreed Alice believed that Beth was as reliable as her about when their train is scheduled to depart and had checked the train timetables as carefully as she had. For Alice knows that it is more likely that either she or Beth have not in fact checked the timetables as carefully as one another or that one another of them is drunk, otherwise cognitively malfunctioning, or are lying than that both have checked the timetables extremely carefully and have arrived at different views about when the train departs. And Alice is reasonably extremely certain that she is not lying or cognitively malfunctioning and has in fact checked the timetables extremely carefully, for a long period of time and very recently. But she cannot reasonably be quite so confident that Beth is not lying or malfunctioning and really has checked the timetables so carefully, since she is not Beth. Alice has reason to believe that Beth is mistaken rather than that she is. David Christensen and Jenifer Lackey argue that the reason that Alice has in this case is a disagreement-independent reason, which can be spelled out in the following way

> *Likely Error, more likely your peer's.* You have disagreement-independent reason to believe that your peer is in error about *p* rather than that you are in error about *p* if: (i) you know that you have engaged in a highly reliable process regarding *p*; (ii) you have reason to believe that this process is at least as reliable as the process in which your peer regarding *p* has engaged in; (iii) you reasonably believe that it is more likely that either you or your peer is cognitively malfunctioning in some way than that you and your peer's contrary beliefs about *p* are both the product of a similarly highly reliable process; (iv) you know of ways in which your peer could be malfunctioning; and (v) you know with a reasonably very high degree of certainty that you are not cognitively malfunctioning in one of these

ways and you don't know with a similar reasonably very high degree of certainty that your peer is not malfunctioning in one of these ways.[xxvii]

Christensen and Lackey plausibly argue that our intuitions about cases such as Alice and Beth's provide support for *Likely Error, more likely your peer's*. And Decker and Groll acknowledge that we should accept *Likely Error, more likely your peer's*.[xxviii] (Note that Beth may be in the same position: given her evidential situation she may also have an analogous disagreement-independent reason to believe that she is right and that Alice is mistaken).

Call situations in which (i-v) hold of your evidence situations in which you have independent reason to believe that there's likely an error in you or your peer and it's more likely to be theirs. Now, it seems to me that if *Unanswered Arguments and Objections* and *Error Theory* hold of one, then one has independent reason to believe there's likely an error in you or your peer and it's more likely to be theirs:

> *Unanswered Arguments and Objections.* You have an argument for *p*. You have not been given any reason to believe that your argument fails. You also have an argument against your peer's arguments for not-*p* that you have not been given any reason to believe fails. Your arguments are unanswered in the sense that they have not been responded to even though people have had a good chance to respond to them.

> *Error Theory.* You have an explanation or error theory of why your peers believe as they do but are mistaken and there is no similarly plausible explanation of why you believe as you do but are mistaken.

When *Error Theory* holds of you, (iv) and (v) hold of your since if *Error Theory* holds of you, then (iv) you know of ways in which your opponents could be malfunctioning, (v) you know with a reasonably high degree of certainty that you are not cognitively malfunctioning in one of these ways, and you don't know with a similar reasonably high degree of certainty that your peer is not malfunctioning in one of these ways.

When *Unanswered Arguments and Objections* holds of you, you are in a position in which your have engaged in a highly reliable process regarding *p* and so (i) holds. For the method of constructing arguments for and against positions is a highly reliable process at least in domains

for which there is an independent check on this method's reliability; as there was in vos Savant's case: remember that an empirical check was run. And when *Unanswered Arguments and Objections* holds of you, you have engaged in a process for coming to a view about whether *p* that you should believe to *be at least* as reliable as the one engaged in by those with whom you disagree, so (ii) holds. Finally, suppose that you disagree with others about some matter *p* in an uncontroversially factual domain. You know that you've gone through a highly reliable process with regards to *p* but do not know that those with whom you disagree have gone through an equally highly reliable process with regards to *p*. In this case it seems that (iii) you can reasonably believe that it is more likely that either you or those with whom you disagree are cognitively malfunctioning in some way than that your contrary beliefs about *p* are both the product of an equally highly reliable process.

Unanswered Arguments and Objections and *Error Theory* held of vos Savant and her solution to the Monty Hall problem before disagreement about her solution was severely diminished and before many empirical tests showed that her solution was correct. Vos Savant had an unanswered argument: she held that the knowledge of the host adjusts the probabilities that a car is behind the other door. And all of the responses to vos Savant's argument did not engage with this argument of vos Savant's. They instead just asserted that after the host reveals a goat, for each door the probability of its having a car behind it increases to ½; no mention was made of her argument for the view that the host's knowledge changes probabilities.[xxix] Vos Savant also had an unanswered objection to the contrary view: vos Savant gave an argument in her column showing that the opposing view, that after the host reveals a goat the probability of each of the two remaining doors having a car behind it increases to ½, could not be correct; an argument that was similarly not responded to by her critics.[xxx] Vos Savant also had an error theory: she believed, and had good reason to believe, that those who did not agree with her had underestimated the effect of the knowledgeable host due to the fact that the answer that is produced by taking the effect of the knowledgeable host into account is so counter-intuitive; and no similar possibility of her cognitive malfunctioning was salient or plausible since the view that she was proposing is so counter-intuitive and the view that she was rejecting is so intuitive.[xxxi] So, *Unanswered Arguments and Objections* and *Error Theory* held of vos Savant prior to disagreement diminishing and empirical tests being conducted. And when *Unanswered Arguments and Objections* and *Error Theory* hold of us regarding a proposition, we can still know this proposition even if there is significant peer disagreement about it.

So, it seems that we should accept that

> *Unanswered Arguments and Error Theory Exemption.* You have disagreement-independent reason to believe that another is in error about *p* rather than that you are in error about *p* if you have unanswered arguments for *p*, unanswered objections to not-*p*, and an error theory that explains why others hold not-*p* but you know of no similarly plausible error theoretic explanation of why you hold *p*.

And with the addition of this exemption, conciliationism and McGrath's argument for moral scepticism do not entail that vos Savant did not know that her solution to the Monty Hall problem was right until either disagreement about this was severely diminished or many empirical tests showed that her solution was correct.

Two clarifications and caveats before moving on. First, it might be wondered how an unanswered argument for *p* and an objection to not-*p* can be disagreement-independent regarding a disagreement about *p*. But my claim isn't that the content of the argument and objection is disagreement-independent but rather that the fact that you have such unanswered arguments and objections is a disagreement-independent fact. For that fact is not the fact on the basis of which you come to hold your view; the content of the arguments and objections are the basis on which you come to hold your view.

Second, we should accept the *Unanswered Arguments and Error Theory Exemption* in virtue of the case that I made that if *Unanswered Arguments and Objections* and *Error Theory* hold of one, then one has disagreement-independent reason to believe that there's likely an error in you or your peer's reasoning and it's more likely to be theirs. But this case was restricted to uncontroversially factual domains. Or at least domains in which when you find yourself in a disagreement with another about some proposition *p* in that domain, you can reasonably believe that it's more likely that either your reasoning process or theirs involved a malfunction than that your beliefs about *p* are both the product of a similarly highly reliable process. But it might be that we can never reasonably believe this when we find ourselves in a disagreement with others about moral propositions. For it might be, as many have argued, that different people can—and often do—engage equally reliable reasoning processes about moral propositions, that are as reliable as can be engaged about these propositions, but come to different conclusions.[xxxii] If this is right, then in peer disagreements about moral propositions we will

never be such that we can reasonably judge that it is more likely that either we or our peer are cognitively malfunctioning than that we have both engaged equally highly reliable processes but come to different conclusions. And in this case, the *Unanswered Arguments and Error Theory Exemption* would never work to exempt us from defeat in peer disagreements about moral issues .[xxxiii]

4. Implications for the Epistemology of Moral Disagreement

I've argued that Decker and Groll's companions in guilt arguments against McGrath fail to undermine her case that our controversial moral beliefs do not amount to knowledge. In closing I want to discuss the broader implications of my argument for the epistemology of moral disagreement.

First, in §3 I argued that conciliationism and McGrath's argument do not entail that vos Savant did not know that you should switch in the Monty Hall case because

> *Unanswered Arguments and Error Theory Exemption.* You have disagreement-independent reason to believe that another is in error about *p* rather than that you are in error about *p* if you have unanswered arguments for *p*, unanswered objections to not-*p*, and an error theory that explains why others hold not-*p* but you know of no similarly plausible error theoretic explanation of why you hold *p*.

The *Unanswered Arguments and Error Theory Exemption* has interesting implications for the moral knowledge that we can have. It entails that moral knowledge in light of peer disagreement is attainable, it's just hard to attain and may be fleeting.

Few people will satisfy this exemption with moral propositions: few people have unanswered arguments for their favoured controversial moral views, have unanswered objections to the alternatives to their views, and have good error theories that explain why those with whom they disagree mistakenly hold the views they hold. Those at the cutting edge of certain debates in applied ethics (e.g. moral enhancement, cloning, drone strikes), however, might well be in a similar position to vos Savant in which they have unanswered arguments for the view that ϕ-

ing is right, have unanswered objections to the view that ϕ-ing is not-right, and have a plausible error theory regarding those who believe that the moral status of ϕ-ing is not-right.

It might seem that even those at the cutting edge of particular debates in applied ethics could not be in such a position because they should know that it's just a contingent matter that their arguments and objections have not been subjected to much scrutiny; they should know that a smart grad student will soon tear their arguments to pieces, and if they won't, this could very easily have happened.[xxxiv] However, this was not the case for vos Savant: she had new arguments, objections, an error theory, and reasonably believed that it was not just a contingent matter that these arguments and objections had not been shown to fail by others. Perhaps the same is sometimes the case for moral philosophers. More work is needed to determine whether there are or have been such cases, whether we can reasonably believe that we are in such a case, and if so, how we can do this. However, the general point stands: my argument shows that even if McGrath's case for moral scepticism succeeds it does allow for moral knowledge about controversial issues it's just extremely difficult to attain such knowledge. But this seems to me an attractive and intuitive result: moral knowledge about extremely controversial moral issues where there is much disagreement and many good arguments in different directions is very difficult to come by and involves serious effort and involvement with those issues. If you want such moral knowledge, you should do applied ethics, and even then you'll have a difficult time getting what you want. If all this is right, then we still have a form of moral scepticism. This is because in other non-moral domains we can easily get knowledge by deferring to the identifiable experts or to the consensus view. But we cannot do this in the moral domain. And the only way of attaining moral knowledge about controversial issues is extremely difficult.

My argument may also enable conciliationists to respond to some objections to conciliationism. In §1 I outlined a version of conciliationism, according to which

> *Conciliationism*. If you believe that *p*, another believes that not-*p*, and you have no more (disagreement-independent) reason to believe that they are in error about whether *p* than that you are, then you do not know that *p*.

Some, such as Errol Lord, have objected to the disagreement-independent reason part of this claim. But as I explained in §1, without the disagreement-independent part of this claim

conciliationism seems to be toothless, since we all have *some reason* to believe that we are right about the propositions *p* that we disagree with our epistemic peers about, namely the considerations on the basis of which we hold our views about *p* (see §1).

Lord considers the following case:

> *Mail Woman*. You have recently moved into a new apartment at 10 Maple St. Someone by the name of Adams used to live in your new apartment. Adams, however, never told the post office that he moved. So you keep getting his mail. You know full well that Adams doesn't live at 10 Maple St, despite the evidence you get from the fact that Adams constantly gets mail at that address. Priscilla is a sorter at the post office. She believes that Adams does live at 10 Maple St. You encounter Priscilla and realize she disagrees with you about whether Adams lives at 10 Maple St. (Lord 2014: 368)

Lord claims that the disagreement-independent component of *Conciliationism* implausibly entails that your belief that Adams doesn't live at 10 Maple St isn't knowledge after you meet Priscilla.

It's not clear that prior to finding ourselves in a disagreement with Priscilla we should have believed her to be as reliable as we are about who lives at 10 Maple St; after all we live there and she doesn't. Regardless, the *Unanswered Arguments and Error Theory Exemption* helps to explain why we can maintain knowledge in the face of this disagreement with Pricilla consistent with the disagreement-independent reason restriction of conciliationism. In Lord's case we have something akin to an unanswered argument for the view that Adams doesn't live at 10 Maple St, namely that we live there and Priscilla doesn't. If Priscilla came to realize this, presumably she would not continue to disagree with us, so I take it that we have something akin to an unanswered or unanswerable argument.[xxxv]

Some objections to conciliationism involve conspiracy theorists.[xxxvi] The *Unanswered Arguments and Error Theory Exemption*, as well as the *Qualitative Parsimony Exemption* that I argued for in §2, may help conciliationists to explain why encountering a seeming peer about whether *p* who turns out to be a conspiracy theorist about *p* does not defeat one's knowledge or justification regarding whether *p*. Sometimes we have a good error theory of why conspiracy theorists hold their beliefs: Thomas Kelly's objection to conciliationism involves encountering

a holocaust denier; an error theory that their view is the product of anti-semitism is at least very often plausible. And sometimes conspiracy theorists hold views that are less qualitatively parsimonious than ours. For instance, the view that a secret race of Lizards secretly control the world is less qualitatively parsimonious than the view that they do not, for this view involves holding that there is a type of species/being that we are not otherwise committed to the existence of (see §2).[xxxvii] (Other conspiracy theories will have no such problems, but this might be okay, for it's not the case that all conspiracy theories are bad just because they are conspiracy theories).[xxxviii]

Furthermore, with these exemptions in hand we might see if we can go further and argue that: we have disagreement-independent reason to believe that we're right and those with whom we disagree are mistaken when we can justifiably believe that our view provides a simpler explanation of the relevant evidence than theirs. This kind of exemption would also help with Kelly's holocaust denier. But in order to be plausible and not ad-hoc such an exemption might need to specify that the claim that our view provides a simpler explanation of *our* evidence can be agreed upon by those with whom we disagree.

The two exemptions I've argued for in this paper show that a case for moral scepticism can evade Decker and Groll's companions in guilt argument. These exemptions also have plausible implications for the moral knowledge we can have and the difficulties of attaining it. And they may also enable conciliationists to evade certain objections that have been made to conciliationism.[xxxix]

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[i] For an overview of different accounts of peerhood see Christensen (2009: 756-757), Killoren (2010: 15-20), and Rowland (2017a: 2).

[ii] See Christensen (2009) and Matheson (2015a) (2015b) for an introduction. For a similar example see Carter (2018: 1358).

[iii] McGrath (2008: 91)

[iv] See Christensen (2009: 757) and Carter (2018: 1358).

[v] For an introduction to arguments for conciliatory views and this independence constraint see Christensen (2009: 758-761).

[vi] See, for instance, Decker (2014: 1099-1100), Vavova (2014: 327, n. 1), and, for a particularly thorough discussion of the relationship between Sidgwick and conciliationism, Shaver (2018).

[vii] As I explain elsewhere I think the term 'epistemic peer' just means 'approximate epistemic peer'; Rowland (2017a: 4). I'm skimming over many interesting debates about how to specify the right conciliationist principle in moral epistemology. For an introduction to these debates see Christensen (2009), Frances (2014), Matheson (2015a) (2015b), and Rowland (2017a: 1-4).

[viii] See Jones (2017) and Moore (2015), and the Yougov and Gallup polls therein.

[ix] McGrath (2008: 99)

[x] *ibid.* 91-92

[xi] For discussion of whether *Peer Disagreement about Morality* holds see Vavova (2014), Sherman (2014), Rowland (2017a: 4-9) (forthcoming) (unpublished m.s.).

[xii] McGrath (2008: 95)

[xiii] *ibid.* 95-96

[xiv] *ibid.* 97.

[xv] *ibid.*

[xvi] If McGrath's claims about expertise and independent checks are right, there will be other domains, such as philosophy, in which the absence of an independent check may similarly preclude our beliefs from having the status of knowledge. But this would only be a problem for McGrath's argument if it rendered her conciliationism self-undermining. For discussion of the view that conciliationism is self-undermining for this kind of reason see Elga (2010), Christensen (2013), Decker (2014), and Pittard (2015).

[xvii] McGrath (2008: 97-98)

[xviii] See Decker and Groll (2013: 147-150).

[xix] See Barnes (2000: 359), Enoch (2011: 53), and Baker (2013: §2).

[xx] See Enoch (2011: 53).

[xxi] See, for instance, Baker (2010, §1 and §6). Of course, if things are not equal between your view and their view because your view is otherwise better, then you also have disagreement-independent reason to believe that you're right and they're wrong.

[xxii] See Barnes (2000: 359).

[xxiii] See Swinburne (1997), Baker (2010: esp. §1), and Spade and Pannaccio (2015: §4.1).

[xxiv] See, for instance, Vardiman (2000: 10).

[xxv] See vos Savant (1997: ch. 1).

[xxvi] Decker and Groll (2013: 155)

[xxvii] See Christensen (2011: 10) and Lackey (2008: 307-308).

[xxviii] See Decker and Groll (2013: 164).

[xxix] vos Savant (1997: 15)

[xxx] *ibid.* pp. 7-8.

[xxxi] *ibid.* pp. 3-5.

[xxxii] See Rowland (2017b: 821-824) and the references therein.

[xxxiii] Decker and Groll (2013: 157-166) make one more argument against McGrath's scepticism that is relevant here. They argue that we should accept

(a) When we have used an *extremely reliable method of careful checking* to come to our belief regarding *p* we have disagreement-independent reason to believe that it is those with whom we disagree about *p* and not us who is in error about *p*.

Their case for (a) is that when we have used such an extremely reliable method regarding a factual proposition, we can reasonably believe that it is more likely that either we or those with whom we disagree are cognitively malfunctioning in some way than that we have both engaged in a similarly extremely reliable process of careful checking and come to different views regarding *p*. And we are in an epistemic position to be more confident that it is those with whom we disagree that are malfunctioning than that we are because we can be reasonably more confident that we have in fact engaged in this extremely reliable method of checking and we know that we are not drunk, lying, or malfunctioning in several other ways, but we cannot have the same degree of certainty that those with whom we disagree are not malfunctioning in these ways; see *ibid.* 163-164 and the case for *Likely Error, more likely your peer's* above.

They then argue that if (a) holds, then

(b) When we have used *the reliable method of ordinary checking* to come to our belief regarding *p* (including moral *p*s) we have disagreement-independent reason to believe that it is those with whom we disagree about *p* and not us who is in error about *p*.

But

    (c) Many of most people's controversial moral beliefs are formed by an ordinary method of checking.

And (b) and (c) entail that McGrath's case for moral scepticism fails; see *ibid*. 164-165.

But it's not true that if (a) holds, then (b) holds. Most people cannot reasonably believe that it is more likely that all those who disagree with them on controversial moral issues, and whom they should otherwise believe to be epistemic peers on these issues, are more likely to be insincere, drunk, cognitively malfunctioning in some other way, or to have not really gone through such an ordinary method of checking than to have in fact gone through the same ordinary process as them and come to a different view on these controversial moral issues. It is not unlikely that two people could be sober, functioning well, go through an ordinary method of checking about a controversial moral issue and come to different conclusions. Perfectly sober and normally functioning friends and students go through methods of ordinary checking—we sometimes see them do it—and disagree with us on controversial moral issues consistently over time. And—in books and articles—philosophers and others lay out the careful checking process that they have gone through to get to answers different from our own on controversial moral issues.

[xxxiv] See Ballantyne (2014) and Rowland (2017: 13-14, n. 54).

[xxxv] For another similar objection see Kelly (2013: 40).

[xxxvi] See *ibid*. and Worsnip (2014: 6).

[xxxvii] See Worsnip's (2014: 6) objection to naïve or extreme conciliationism.

[xxxviii] See Coady (2012, ch. 5), Dentith (2014), and Pigden (2007).