

BIOETHICS AND MORAL EXPERTISE AS A COLLECTIVE ENTERPRISE

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ABSTRACT

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Moral expertise is not a fantasy contrived by those who would wish to wield it. Moral expertise is something that is achieved through training and experience, just as any other form of expertise. While it shares many features with other forms of expertise, it carries with it a form of authority that is different and distinctive due largely to its inherently normative nature. I examine moral expertise by first examining expertise itself. Given what we understand about expertise, how it is achieved, and the impacts it has on the cognition of those who achieve it, I claim that moral expertise in bioethics is best seen as something achieved by groups rather than individuals.

For my girls—Lori, Brianna, and Kyla. Without you this would not have been possible.

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Chapter 1: Introduction

1.0 The Thesis

Moral expertise is not a fantasy contrived by those who would wish to wield it. Moral expertise is something that is achieved through training and experience, just as any other form of expertise. While it shares many features with other forms of expertise, it carries with it a form of authority that is different and distinctive due largely to its inherently normative nature.¹ While most forms of expertise involve a specific, fairly well defined subject matter and skillset, moral expertise is unique in that its practitioner may need to make use of many other forms of expertise in order to successfully employ it. This may make it a rare form of expertise, but the difficulty in attaining it ought not be a mark against its existence.

Commonly attributed to a single person, the difficulties involved in mastering all that would be required to achieve it are often taken to be reason enough to discard it.²

While it could be true that the sort of moral expertise one needs to live a properly moral life is properly regarded as an individual achievement,

¹ One could say that all forms of expertise are normative, but the normativity involved with moral expertise is categorical in a way that other forms are not. Whereas one could simply give up the hypothetical imperative that gives force to other forms of expertise, one cannot simply give up the demands of morality.

² This will be addressed in more detail in chapter 3.

there are contexts in which moral expertise is best seen as a group achievement. One such context is bioethical inquiry and practice. Bioethics, as a discipline, makes use of contributions from a variety of fields that each have their own forms of expertise. As such, the complexities that arise in bioethical contexts require the input from a varied group of experts as well as the normative training needed to deal with complex moral and political issues. Due to this complexity and the movement toward higher levels of specialization in all forms of expertise, bioethical expertise ought to be attributed to groups, not individuals.

1.1 The Backdrop

Bioethics is a relatively young discipline still searching for the best ways to make its contributions. The need for the contribution is clear, but the content of the contribution and its ideal methods of transmission are still being sorted out. The name ‘bioethics’ suggests that a bioethicist ought to have some expertise in a kind of ethics pertaining to the prefix ‘bio’—that much is clear. Commonly attributed to Van Rensselaer Potter, the term originally denoted a broad constellation of topics.³ The bioethics penumbra casts wide, including fields like organizational ethics, environmental ethics, and medical ethics. Indeed, under this formulation, bioethics takes its prefix quite literally—almost any discipline or intersection of disciplines (or any

³ See especially (Potter 1971, 1996)

fields composing these disciplines) that deals with the application of human values to life, broadly construed, is subject to its gravitational pull.

This view of bioethics no doubt influenced the evolution of the term into biomedical ethics, with the prefix attached to a field of study and practice which obviously has much to do with life. As happens with so many words and concepts, 'bioethics' has evolved in its usage. The influence of Hellegers and the founding of the Kennedy Institute at Georgetown provided for this evolution and, along with the pioneering work of Daniel Callahan and the Hastings Center, pushed the term more toward the intersection of medicine and ethics.⁴ Some no doubt continue to use it the broader sense that Potter had in mind, but as Kuhse and Singer note, it is now commonly used in this narrower sense to refer to the intersection of biomedical science and ethics.⁵ This shift toward a narrower sense of the term and what would typically fall under its purview does not change the fact that bioethics is, at its heart, an interdisciplinary field.⁶

Interdisciplinary work is tough—even when the participants agree that a given discourse is best served by input from specialists in a variety of disciplines and fields within those disciplines. This comes as no surprise for anyone that has worked on a multidisciplinary team, but the sorts of

⁴ (Reich 1994) goes into greater detail on this history and the potential gaps in the various accounts. See also (Andre 2004) for a comprehensive treatment of field.

⁵ (Kuhse and Singer 2013, 3–5). See also (Callahan 2012) and (Khushf 2004).

⁶ In what follows I will use 'bioethics' in this narrower sense. I recognize, however, that there are times when the broader notion is more appropriate. When circumstances suggest using the broader sense I will acknowledge the shift in usage.

disciplines that often get pulled into bioethics discussions tend to resist the kinds of collaboration necessary for progress. Disciplines that tend to be highly specialized, with their own jargon, technical use of terms common to other discourses, and methodologies make it difficult to find common ground – the sort of approach and starting point necessary for the work to be done. While it is a common problem for fields within disciplines, for instance, oncologists discussing treatments with cardiologists or pulmonologists, it is even more of an issue when disparate disciplines meet. Lawyers, physicians, sociologists, philosophers, to name but a few contributors to the bioethics discourse, all have their own disciplinary cultures.⁷ These cultures are often integrated so deeply into the psyche of the practitioner that she has little awareness of it. It is this cognitive, emotional, and social aspect of becoming an expert in a given field that both enables and inhibits one's ability to work effectively on interdisciplinary problems.

These difficulties are exacerbated by pressure associated with the movement toward more support for interdisciplinary work within universities and funding agencies.⁸ Projects looking to get funded or departments looking for university support are increasingly needing to show their ability to work with other disciplines. For some disciplines it may

⁷ These cultures include the methodological, epistemic, and social norms of a discipline, and contribute to the practitioner's ability to participate in the life of the discipline.

⁸ Michigan State University provides a good example of this move toward more interdisciplinary work, with both an NSF-funded center for interdisciplinary study of evolution and a new center interdisciplinary research.

be easier to work with others, and the sorts of problems being addressed will dictate the methods of measuring success, the nature of the individual contributions to the whole, and other aspects of communal working. It is here that bioethics sets itself apart from many other interdisciplinary endeavors—the nature of the problems that are addressed are less well defined, more nuanced, and often delicate. Much of the apparent (and in many cases, real) recalcitrance of these problems stems from the domain set by the root word ‘ethics’. As anyone who has grappled with bioethical issues will attest, the field is fraught with complications, ambiguities, and slippery concepts. If anyone says that they deal with ethical problems and find them easy to solve, they are missing something.

1.2 The Problem(s)

The nature of bioethics as a discipline gives rise to a unique set of problems in addition to the sorts of problems it seeks to resolve. No other discipline brings together as many seemingly disparate specialists under the same heading. As we will see during the course of the present work, this is both a great and necessary aspect as well as an area needing more attention. Given the emphasis on specialization in virtually all forms of inquiry, one might well wonder just what it is to be a bioethicist. When a person is labeled something with the suffix ‘-ist’, ‘-er’, or ‘-ian’, and a root word denoting a field of inquiry or practice, it implies that she has some level of expertise in that

area. This suggests that the 'bioethicist' has some expertise in ethics with the further need to flesh out the 'bio' prefix. This implied expertise in ethics is the focal point for what follows. Using ethical or moral expertise as a center of gravity I will explore a subset of orbital problems. In particular, I want to pay special attention to the ways in which philosophical issues with moral expertise, both ethical and epistemological, combined with the nature and scope of bioethics, form a unique set of issues. These issues include problems with explicating the sort(s) of expertise involved in bioethics, difficulties in identifying those experts, issues surrounding the content and import of the experts' contributions, as well as questions regarding the training of future experts. The result of the present examination of these topics is an account wherein 'the expert' is not an individual, but rather a group of people, and that within this group philosophers play a vital role. A sustained inquiry into these issues will be of importance to not only bioethics but also philosophy. I am not the first philosopher to engage with these issues, but I hope the present discussion is a worthwhile contribution to the overall discourse.

1.2.1 Expertise

Both the philosophical and bioethical literature call into question the existence of moral expertise. Even those willing to admit such expertise may worry about its content. Much of this discussion rests atop a larger

discussion regarding the nature of expertise in general. This discussion includes concerns regarding the conditions necessary to claim expertise. As issues surrounding the concept of expertise more generally form the basis on which the discussion of moral expertise stands, it is necessary to spend some time on them. Specifically, given that a moral expert is an expert, one needs a set of criteria by which to judge expertise more generally. It may turn out that moral expertise is different in important ways from other forms of expertise, but without some working notion of expertise in general one has no baseline from which to work.

That expertise involves a kind of knowledge is uncontroversial. What is slightly more contested is the sort of knowledge the expert has and employs. Work done by philosophers and psychologists is especially influential here. Different modes of understanding come into play in a way that sheds light on the complexities of the issue. For instance, it is possible, on a common account of knowledge, to separate knowing how to do something and knowing that something is the case. If these two modes of knowing are different it is reasonable to suggest that there could be experts that can perform actions without being able to provide an account of how or why they can do them, as well as experts who can give accounts for ways of doing things but not be able to do those things themselves at an expert level of performance. For a practical discipline like ethics, this is an important distinction. One could potentially be able to do the right action but not be

able to give much detail regarding 'why' it is the right action or, on the other hand, one could say why something is the right thing to do but fail to do so (as in cases of akratic behavior). Both of these scenarios are debated in the moral philosophical literature and any conception of expertise that will be useful in defining moral expertise will have to address them.

The conception of expertise that is relevant to the current project involves a kind of propositional knowledge that is internalized and affects the ways in which the agent perceives situations and thus how the agent acts in those situations. This two-fold account of the epistemology of expertise is important. The true expertise rises above the level of a knack or natural talent and involves the ability to provide an account for why a given action was taken and/or why that act was superior to others. Additionally, the agent develops a sensitivity toward features/aspects of situations that involve one's area of expertise. These features/aspects of the situation strike the expert differently than the non-expert, and factor into the expert's judgment in ways that differ from the non-expert. These features of expertise are intimately tied to action, and that brings out a crucial element to expertise that is easily overlooked; experts not only know, but act. An example of this would be a physician observing a patient and noticing things that are relevant to the diagnosis of the ailment that the patient did not notice or did not see as relevant. This will then lead the physician to diagnose and treat in a certain way (i.e. act in a certain way).

Within this discussion of expertise a few further issues will be addressed. In particular the following three questions are explored:

1. How do people identify an expert?
2. How does one responsibly incorporate the testimony of an expert into one's own epistemic position?
3. What happens when experts disagree?

The import of question one is straightforward in the sense that if one cannot identify the expert or distinguish her from the novice then one has problems on both a theoretical (one's account of expertise is suspect) and practical (in today's world people depend on input from experts more than ever) level. Accounts of expertise, both specialist and lay, typically make use of a success component or criterion. That is, experts must be more successful at doing activities that are associated with their expertise. If one is an expert basketball player, one must be able to play the game better than a novice or average player. If one is an expert in the history of ancient Greece one must be able to give accounts of that history in ways that rise above common knowledge. There are various sorts of success criteria that apply to various sorts of expertise, but in some cases what counts as success is less clear. In order to properly account for the varieties of expertise we find in the world, we must get clearer on this success criterion.

The second question involves two notions of responsibility. First, one must be an epistemically responsible agent. By this I mean one, in

general, seeks to understand and hold true beliefs, and if one is to do this in areas where one has little knowledge (due to the complexity of the subject matter or other factors) one will have to incorporate expert knowledge from others. How does one know that the expert's testimony is true? If one cannot know this, how does one proceed responsibly? This second-hand knowledge is often taken for granted in areas such as the sciences, but it is worthwhile to address it because as one gets into value laden fields, such as healthcare, forms of responsibility other than epistemic are at work. This gets into the second notion of responsibility – that of moral responsibility. Given that one acts from what one believes is true, and often times one must act based on input from experts, expert testimony often factors directly into one's moral life. Though an expert may still be wrong, and one may not be held culpable for mistakes made by experts, one could be held responsible for decisions made based on insufficient vetting of the experts or testing of their propositions.

The third question involves situations where one may have identified more than one expert in a field and is receiving conflicting accounts from those experts. This raises the issue of levels of expertise and whether some experts are more trustworthy than others. This leads to a further concern that, in some fields, there may not be one, true, account or solution to a problem, or that there is insufficient information or evidence, leading to experts forming hypotheses rather than seem like mere opinions to

non-experts. This is a regular occurrence in the sciences but when the question concerns healthcare the stakes are different. In order to act responsibly in a context fraught with ambiguities and potential life-altering decisions, one must have some way of adjudicating these matters, or at the very least, be able to determine when one is encountering such a situation.⁹

These questions figure into the subsequent discussion in two ways. First, when moving to the group-level analysis of moral expertise we will find experts dealing with fellow experts — not only in their own fields but also in fields that are beyond their own knowledge base. This effectively reduces experts to novices due to the shift in content and context, though not entirely so. The problem of extension will rear its head here and in subsequent chapters. In most fields, part of being an expert is the ability to reason well and make use of the knowledge one has. However, while the ability to reason can be applied to many things, one's knowledge is often contextual and limited in scope. This leads to blindness toward aspects of situations that are not typically relevant to one's area of expertise and hinders the extension of one's expertise to other areas.

Second, an account of moral expertise must address the fact that judgments will have to be explained and disseminated to non-experts.

Multiple factors are involved in the dissemination of judgments based on

⁹ It is not uncommon for experts to appear in complete command of their subject matter and delivering the 'truth' when they offer advice. However, upon seeking further opinions one often finds that there is more room for error than the expert's demeanor suggests.

expert level analysis. Issues in the use of technical language are common, where lay people may not be used to the use of technical language generally, not to mention the technical language of a given subject area.

Compounding this language gap is the fact that, in the case of bioethics, the judgments being made are value judgments, taking place in sensitive contexts with results that can be far reaching in terms of personal stakeholders as well as at the societal/political level.

1.2.2 Moral Expertise

This form of expertise is something that philosophers and theologians have found particularly interesting and at times controversial. The connection between bioethics and the concept of moral expertise provided the impetus behind this project. Ought bioethicists be 'telling' people what to do, as though they are experts in the moral matters in the relevant sphere of action?

Among the fields that contribute to bioethical discussions, philosophy has been particularly active. While it is hard to deny the importance of philosophical analysis in the myriad bioethical debates there is a tension in the role played by moral philosophers in particular. The question is 'what is it, specifically, that moral philosophers contribute to the discussion?' and it is not an unreasonable one. The idea is that current bioethical discussions involve a series of experts providing input on specific issues with the goal

being a resolution to a problem. With most disciplines, the identification of relevant experts is thought to be rather straightforward, as is the nature and value of their contributions to a given discussion. For instance, physicians develop expertise in certain sub-disciplines of medicine through training and experience. Successful doctors in these fields are then considered experts. In legal matters, a lawyer that has mastered the legal literature and can identify the legal ramifications for given solutions would be seen as an expert. The findings of these experts are taken as inputs in the larger decision procedure and only other experts within the given sphere (e.g. medicine or law) are entitled challenge those findings.

With this in mind, it seems natural to inquire into the nature of the contributions from moral philosophers in these discussions. In what, specifically, does their expertise lie? An easy answer would be that they are to be seen as moral experts, due to having an understanding of the history of ethical theory and a general understanding of the arguments within that history. However, while the history of moral thought is no doubt fascinating, it is often claimed that such knowledge is not all that useful in practical contexts. Many see a disconnect between an understanding of the history of ethical theory, or even the development of new ethical theories, and the expertise or authority to make ethical judgments.¹⁰

¹⁰ This is a common criticism that will be addressed later. For an especially representative expression of this concern, see (Cowley 2005).

This suggests a problem; is there such a thing as 'moral expertise'? If so, how would we identify expert practitioners? What is the relationship between moral philosophy and moral expertise? In complex situations, such as those posed by bioethics, ought we be looking to one person as the expert in the matter? Lastly, what do the answers to these questions mean for bioethics? These are important questions for many reasons, not the least of which concerns the role that moral philosophers should play in bioethical debates. I claim that the concept of moral expertise is not as outlandish as many believe. In fact, when viewed from an Aristotelian perspective, moral expertise is a natural end to be achieved. This expertise is attained through the development of sensitivities to the normative features of situations. This enhanced sensitivity is combined with a greater understanding of what it means for human beings to flourish as well as how to best achieve that state by way of the proper use of practical reason. Furthermore, this Aristotelian perspective is not merely a historical curiosity. Rather, it is a legitimate contender in moral philosophy that is uniquely positioned to both describe and improve our moral lives as well as further moral and social agendas.¹¹

An Aristotelian view has the advantage of simultaneously embracing the

¹¹ One might question the use of an Aristotelian framework here, arguing that one could simply choose to use a different framework and thus come up with a different conception of moral expertise and its role in bioethics. I shall not spend too much time defending the Aristotelian ethical framework I use--it is clear that such a framework is a respected one in the philosophical literature. I will, on occasion, gesture in the direction of a defense of this framework as I do believe it to be a superior system. On the whole, however, I will use it, including the many metaethical and moral psychological implications, as a starting point in my work.

inherent uncodifiability of ethical issues and maintaining a level of moral realism that allows for answers to ethical questions and explanations for preferring some actions to others, all while embracing both the propositional and the practical dimensions of expertise found in the scientific literature.

The most important feature of an Aristotelian approach is that it provides an account of expertise that, when combined with some contemporary work on social epistemology and group agency, provides a unique view of what moral expertise would look like in the complex scenarios that bioethicists encounter. The Aristotelian view espouses a form of ethical naturalism and moral epistemology that welcomes the input from medicine and leads to a fruitful interaction between ethical theory and medicine. Finally, the Aristotelian view can be seen as breaking down the traditional barrier between theory and practice by showing how the two are interrelated, allowing for a kind of application that many have denied to ethical theory in general.

The result of this line of inquiry is an account where moral expertise is seen as a combination of the proper application of practical reason, knowledge of the relevant features of the situation, and the training of one's desires to align with one's reasoned judgments. Given that the problems presented in bioethics involve the input of multiple specialists who are experts in their own fields and that these specialists have particular insight

into the many features that give these problems their complexion, along with what we know about expertise generally, we see that it is unreasonable for any one individual to have and make good use of the knowledge necessary to make good judgments. This is not to say that moral expertise is therefore a useless concept or something to be deleted from the discourse. Rather it tells in favor of a reimagining of moral expertise in the bioethics. This reimagining involves moving moral expertise from the level of the individual to the level of a group.

1.2.3 Expertise at the Group Level

The move from the individual-level to the group-level is motivated by concerns raised in the previous two sections. By 'group-level' I mean groups of individuals seen as one collective rather than merely a bundle of individual agents. This group takes on a limited form of agency and is more than a mere sum of its parts. This is opposed to the individual-level where individual people are seen as the locus of concern and ascribed the status of moral expert. It is the latter that is common in the literature and is considered problematic by many. The move to ascribing moral expertise to groups provides a means to reconcile the positions of interlocutors in the debate.

There are a few primary issues that group-level moral expertise answers immediately. The most obvious is the problem of the vastness of

the particulars that are present in the kinds of difficult moral situations facing an agent (group or otherwise) in this context. Bioethics often deals with problems in which varied and sometimes disparate spheres of knowledge are relevant. In such cases, there are often experts within each sphere of knowledge who are good judges of the relevant aspects of the situation but who would be less effective judges when it comes to other aspects that involve the expertise of a different sphere. This can be seen in medical diagnoses, where experts from different fields in medicine come together to argue about whether a certain symptom or ailment might be primary (i.e. of immediate concern, or the ultimate cause of the larger disease, etc.) and then, based on that, what course of action is best for the patient. In cases involving bioethical issues, this problem could extend in many different directions. There could be legal issues at work, communication issues between patients and physicians, religious concerns, and other ethical issues that may supervene on some or all of the other issues mentioned. If one could bring together a group of experts in each sphere, one might be able to make more progress toward a defensible position on the matter.

This may be well and good, in theory, but it will mean nothing if such a group cannot actually be formed and then perform as the theory intends. It is here that I draw upon the resources of work done in social epistemology and group agency in the philosophical literature. People such

as Carol Rovane, Christian List, Philip Pettit, Alvin Goldman, and others have done work on matters of great importance to my project and they provide a starting point for my account of group-level moral expertise. I consider four primary problems that are associated with making this theory work.

1. How will the knowledge of each individual contribute to the collective knowledge of the group?
2. How will the group of experts form collective judgments?
3. In what ways can this group 'act' in bioethical contexts?
4. How is responsibility for any actions taken by the group distributed to the individual members?

1.2.4 Training Present and Future Bioethicists

The model of group agency and moral expertise I have in mind depends on the individual agents being trained in specific ways. The dictum 'get to them early and often' applies here. One of the key features of Aristotle's view on practical reason is his use of 'vision' as a key metaphor for how practical reasoning works. This form of cognitive perception is critical, according to Aristotle, because it is the basis from which the rest of the reasoning process proceeds. If an agent makes a mistake (that goes uncorrected) at this point in the deliberative process the rest of the process will simply carry the agent farther down the mistaken path. As a result, if my conception of group

agency and moral expertise is to work within this Aristotelian paradigm, the individual agents will need to be trained in specific ways in order to facilitate this kind of perception and this training will have to start early in their education.

Aristotle is famous for (among other things) claiming that character development starts when one is quite young and that this early training is critical. The ideal agent is brought up with an appreciation for good things and recognizes them as good things. This paves the way for further development later as one is already acquainted with and attracted to the proper things and will be more responsive to what reason says is good and proper in more difficult, less obvious cases.

This same basic ideal applies to the constituents of group-level moral expertise. In order for the collective judgment of the group to work properly each agent will have to be trained, early and consistently, to respond in certain characteristic ways. One of the first and most crucial factors here will be the agent's facility with normative language and concepts. Normative concepts such as justice, courage, integrity, and others will form the foundation of any moral discussion and it will be imperative that each member of the group-agent be at ease with the difficulty and inherent complexity involved with such terms/concepts.

Along with a basic understanding and facility with using normative concepts one has to attain a level of moral maturity that will be furthered by

this training. Understanding how and why other people might disagree with you, the basic forms of argumentation, and perhaps most importantly a willingness to charitably examine the views of others are all skills and dispositions that will be critical for the agent to attain. These skills and dispositions are not inculcated quickly; it will take time and repeated exposure in order for them to be properly absorbed. This could mean that as early as undergraduate pre-med, pre-law, and other preliminary curricula would need to include courses that aim to instill these states. Graduate seminars and clinical rotations with a variety of people already a part of group-level moral expert would help to further instill these states. Use of Responsible Conduct of Research (RCR) training modules will also facilitate the required understanding as well as further develop it later in one's career. Lastly, it will be of critical importance to include moral philosophers in this training as well as the development of its curriculum.

1.2.5 Philosophers and the Future of Bioethics

There are many roles for moral philosophers in bioethics. The primary roles, as I see it, involve the training of future bioethicists, substantive contributions to the moral discourse, and the specific roles that moral philosophers play in group-level moral expertise. While some of these roles will be readily accepted and already entrenched in the bioethics community, other roles I discuss may not be so readily implemented.

The fact that moral philosophers play a role in the training of bioethicists is not news. One of the primary contributions of philosophy in general to bioethics has been the introduction of moral concepts, methods of moral analysis, and the history of moral argumentation. As mentioned previously, many think this is where moral philosophy does its best work in bioethics and should be the sole domain for philosophers who wish to contribute to these discussions. To this I respond by claiming that, yes, moral philosophy has much to say here, but it is merely one role of many that philosophers ought to be performing, and even this training ought to be done with a larger goal in mind. The thought is that this is not merely a matter of teaching people what has happened in the past so as to not repeat those mistakes (though that is an important lesson). The goal of training ought to be the development of the normative maturity mentioned previously—a kind of character development. This will involve an effort on the part of moral philosophers to further investigate and develop techniques aimed at sharpening skills and helping to develop the knowledge bases necessary for group-level moral expertise. This will lead to the discovery of new problems and new approaches rather than mere avoidance of things done wrong in the past.

In terms of the substantive contributions of philosophers in bioethics discussions, much praiseworthy work is already being done. It is worth noting here that there is much philosophical work to be done in bioethics

contexts. One feature of bioethical discussions that philosophers ought to be engaging more is the fact that these discussions often push the boundaries of our concepts. Whereas much of philosophy utilizes thought experiments in order to illuminate and, often, complicate matters, bioethics provides a fertile ground of difficult examples and problems that even the most inventive of philosophers would be hard pressed to match. This, in my view, moves bioethics into a different position than many contemporary philosophers admit. Rather than being a field or topic area to which we apply philosophy, bioethics is better seen as an area in which philosophers can do philosophical work — new problems arise (e.g. within the metaphysics of identity, agency, moral epistemology, etc.) and some established problems can be seen in stark relief, leading to problems for established moral (and other) philosophical approaches (e.g. the role of moral perception in practical reason). Moral philosophers can contribute in more ways than simply attending ethics committee meetings. In fact, in the account of moral expertise I develop, much of the work needs to be done prior to such a meeting. By writing books, articles in peer reviewed journals, and even blogs, for instance, the philosopher (as well as other contributors) is contributing to the background of moral knowledge and understandings that will help to frame and illuminate moral debates and facilitate resolutions.

The last topic discussed in this chapter will be the specific role that philosophers should play in the group-level moral expert. Here, the philosopher is to be seen as a kind of conductor or midwife, as opposed to the person that is seen as having the answer. The philosopher's training in rigorous forms of reasoning and facility with the normative language and the use of related concepts puts her in a unique position to dialectally guide the discussions of the group expert. Much of this will depend upon the training explored in previous sections, as the philosopher will be of little use if the rest of the participants cannot or will not participate in the dialogue. Having a shared background of terms, concepts and methods of reasoning will be critical, but having a shared sense of purpose and focus will be just as critical. In order for the group to function properly as an expert it must have not only a common background to which each member can refer and build upon when discussing delicate moral matters, but it must also have someone who is rigorously trained in dialectic methods and reasoning to guide the discussion. The philosopher is uniquely positioned to take on this role due to her training as well as the character that is likely to be instilled because of that training.

Chapter 2: Expertise

2.1 Expertise as a subject matter

When making decisions, people often seek input from others who are presumed to know more. This tendency manifests in different ways--from asking technologically savvy friends for advice on what computer to buy to more serious matters, such as asking a physician about the best course of action to treat an illness. As a society becomes more specialized and technical, this becomes more entrenched. There are also times when we seek advice from others not simply due to a presumed knowledge gap, but because we seek a different perspective. We routinely seek advice from our epistemically equal peers, and are encouraged to get second opinions when considering undergoing a medical procedure. In these cases, we seek confirmation, previously unseen options, and other inputs that are not necessarily a function of the other person's greater knowledge.

These rather common occurrences illustrate some of the primary issues with expertise. That experts know more than non-experts is not uncontroversial, but it is widely accepted.¹² That experts perceive situations differently than non-experts might not be as obvious or uncontroversial, but

¹² There are critiques of this view to be explored, largely stemming from a postmodern point of view. As we will see, much of the content of these critiques involves the label 'expert' and the privilege attached to it rather than explicit knowledge claims.

upon reflection most, I think, will find this reasonable.¹³ The relevant work regarding expertise deals with the background conditions that make these claims true and whether the truth of these claims vary with the area or kind of expertise in question. There is also the matter of how experts get to be such--what forms of training are required in order to achieve expertise? Before turning to these questions, however, it is important to at least partially set the stakes for the discussion. The study of expertise is no mere intellectual exercise; societies tend to give great weight to the pronouncements of experts. The normative overtones associated with expertise broadly construed end up affecting who is allowed to be called an expert and, in some cases, whether people are willing to admit that experts in a given domain can exist at all.¹⁴

2.2 Expertise and Social Influence: Sociological and Psychological

Approaches to expertise.

As soon as a field of inquiry matures to the point of having experts, it is their opinions that tend to hold sway when relevant decisions are made. There is a form of epistemic dependence that arises whenever a society advances in some area of importance. For instance, we have a legal culture that relies

¹³ The situations I have in mind here are those where the expert's expertise will have some relevance. This is addressed in more detail later in this chapter.

¹⁴ In some cases, people who suffer from forms of discrimination are not deemed capable of expertise in part due to the social status that will be afforded to them. For more on this, see (Danson 2007). In certain cases this issue is quite pronounced, as in the case of moral expertise I explore in the next chapter.

heavily on actions, inputs, and judgments of experts. The lawyers that one would hire in such a case represent a class of experts, and there is good reason that it is rare for people to represent themselves in court cases that could lead to life altering outcomes. Judges are legal experts as well, and are tasked with the preservation and interpretation of not only the law, but aspects of the legal system having to do with argumentation, evidence, and other protocol oriented matters. This reliance on expertise in court extends beyond lawyers, judges, and other forms of legal expert--lawyers often rely on the testimony of those with relevant expertise to bolster their case. The idea is that if an *expert* says something, it carries more weight than if someone with a layperson's level of understanding were to say the same thing.

The prominence and influence of experts ranges from the more mundane matters of everyday life to more important, often life-altering matters. From food critics to neurosurgeons, there are attributes shared by all experts, but the existence of a knowledge gap is the defining feature. Experts know more than their lay counterparts. This knowledge can take various forms, from knowing facts to knowing how to do something with extraordinary skill. It is this knowledge that forms the basis for the expert's authority and influence.

This rather straightforward account is commonly traced back to the middle-ages and the guild culture, with its apprenticeship model of

professional development. Members of important guilds held considerable social clout and it was not uncommon for their opinions to be sought after even in areas where they held no specific expertise. One could not achieve true expertise in the eyes of public without being recognized by one's peers and being accepted into the group of experts.

In our own society, as it grows more and more specialized, we see a continuation of this phenomenon. We have schools that certify people as experts in a given area, board examinations for fields such as law and medicine. Experts in some fields have a social clout or gravitas that extends beyond their area of expertise. Physicians are a common example of this, as are some famous scientists (e.g. Einstein), and even some entertainers. If persons have expertise in an area of inquiry or performance that society values, their influence commonly extends to matters which have little to do with their specific expertise. Given the influence that experts have it is no small matter to determine not only the nature of expertise itself but also how the layperson can identify an expert (or, perhaps more importantly, a charlatan). There is a tacit authority that any epistemically responsible agent must consider when dealing with an area that has established experts, but one must also have a sense of when to challenge this authority.

2.2.1 The Sociology of Expertise

During the past fifty to sixty years, much of the work on expertise has been done by sociologists. Not surprisingly, the focus has been largely on scientific expertise. Scientists are seen as paradigmatic experts—they have esoteric knowledge and can thus speak with authority on scientific matters. The work done during this period focused almost exclusively on a propositional form of scientific knowledge, along with the power and social influence that went along with it. In their piece “The Third Wave of Science Studies”, Collins and Evans consider three periods (or ‘waves’) that mark shifts in the ways that sociologists approach expertise and particularly scientific expertise.¹⁵ The first wave, beginning in the 1950’s, focused primarily on understanding the nature of scientific knowledge and how this knowledge could be reinforced and propagated. One of the hallmarks of this period was the tacit acceptance of what would be a contested claim later—the idea that scientific knowledge is esoteric. This is critical, in that it presents science as a sort of walled garden. Lay persons would be essentially silenced, in the Austinian sense, because they did not have the training and understanding that would give them the authority to challenge the conclusions and judgments of scientists.

Due to the esoteric nature of the knowledge scientists held a position of immense power when it came to scientific matters. In an age when

¹⁵ (H. M. Collins and Evans 2002)

science was becoming more and more influential in society, due in part to its relationship to the technological advances of the time, this led to some concern.¹⁶ In 1962 the philosopher/historian of science Thomas Kuhn wrote the influential book *The Structure of Scientific Revolutions*. While Kuhn was focused primarily on understanding the nature of the epistemology of science and its relationship to scientific theory, many sociologists saw this as a turning point in the study of scientific expertise. Influenced by postmodernist thought, many took Kuhn's work on paradigm shifts and concerns surrounding the foundations of scientific theories to reflect flaws in the scientific enterprise as a whole.¹⁷ The sociological approach to expertise took a turn that is still evident now.

The hallmark of this sociological period is a general rejection of expertise and it is most evident in the work done on scientific expertise. This 'second wave', as Collins and Evans describe it, is characterized by a commitment (either tacit or explicit) to social constructivism. Using the conceptual resources of constructivist thought, sociologists began to question the existence of expertise in science as well as a more general sort of 'technical' expertise. The questioning, and eventual rejection, of expertise began with the rejection of the esoteric nature of scientific knowledge.¹⁸ The

¹⁶ It should be noted that it was not only sociologists who were concerned and saw the need to challenge science and scientists. Philosophers of science, including Kuhn as well as the much-maligned logical positivists, saw flaws in the epistemology of science and the need for further work on the matter.

¹⁷ Kuhn saw this as a warping of his views and wrote a piece in an attempt to clarify his views. See (Kuhn 2013)

¹⁸ (H. M. Collins and Evans 2002)

claim made by many at the time was that the sort of knowledge that these technical people had was no different than the sort of knowledge common to us all. It was not something that is different in kind, and so not esoteric in the way many previously thought. This leads to the breaking down of the expert/non-expert dichotomy by removing the barrier that led some to think that non-experts were in no position to criticize or question the pronouncements of the experts. While it could very well be the case that scientists have a deeper understanding of something, it remains a matter of degree and thus opens the door for lay-persons and even so-called 'lay-experts'.¹⁹

At the heart of this sociological movement was a concern with the label of 'expert' and the social and political power it holds. By questioning the foundations and nature of expert knowledge, these individuals were attempting to break down barriers and categories that they saw as both politically and socially damaging. Building upon what they saw in Kuhn's work, they claimed that the methods of the experts themselves, in this case scientists and the scientific method, did not have the resources to truly end debates. What was really at work in these scientific disputes were power structures, paradigms, and other non-scientific factors. The objectivity claimed by the scientists of previous generations was, on this view, a myth.

¹⁹ A 'lay-expert' is someone who has enough experience in an area to count as an expert, but not the formal training and attendant credentials of the 'true' expert. More on this as we move forward.

Without this objectivity and appeals to ‘matters of fact’, many took the notion of scientific expertise to be largely vacuous. Science was just another paradigm and thus in no better position to determine fact from fiction than other, competing paradigms.

We still see remnants of this line of thought today. It is common for those versed in sociological theory to have a general, perhaps nascent, distrust of expertise and the sorts rights and privileges that are seen to accompany it. While it is true that objectivity is difficult it need not be seen as impossible. Much of the sociological work that leads to this relativistic rejection of expertise focuses on individual scientists or scientific movements. Many will *claim* that conclusions drawn from the studies of individuals and groups of scientists can be applied to science as a whole or as an endeavor, but such claims are problematic at best and most likely false.

²⁰ Some of the problems with the constructivist line stem from misunderstandings of the epistemology of science, and of expertise more broadly. Other problems stem from problematic views concerning the nature of practical reason and political authority. What is needed is a systematic approach that pays attention to the concerns that this constructivist sociology rightly raises, but also delves into the philosophical underpinnings of expertise and what follows from them. Fortunately, many philosophers have taken on this challenge, both directly and indirectly.

²⁰ More on this later in the chapter.

2.2.2 Psychology, Neurobiology, and Expertise

Just as with the studies that come out of social science, psychological studies on the nature of expertise provide critical insights regarding its nature and operation. Where the sociologists tend to focus on how experts are identified and function within society, psychology focuses on the mental features that set experts apart from the laity. At a general level, the hypothesis being tested is something like ‘experts behave differently than non-experts, and the difference lies in the way experts process information’. As one would expect, there are different ways of defining key concepts in this hypothesis—what it means to ‘process information’ gets the bulk of the attention. While this is certainly a large part of the psychological approach, studies have also moved into the ramifications of expert studies. For instance, using neurobiology and education theory, some scientists have ventured into theories regarding the making of future experts, giving special attention to the learning environment and biology that enables one to build expertise efficiently. Before moving into these latter topics, though, it will be helpful to delve into the history of psychological studies of expertise and how the current theoretical and experimental understandings have evolved.

Psychology started focusing attention on expertise in the 1940’s. These early studies were particularly influenced by behaviorism. Psychologists

were concerned with determining which combination of environment and habit, or stimulus-response pairs, would combine to produce expert performance. Using scenarios in which most would agree to there being a gulf between an expert and a novice, such as playing chess, the experimenters would analyze seemingly complex operations in terms of the input/output that defined behaviorism.²¹ While these studies are largely seen as producing significant results, their greatest contribution arguably lies in their inadequacy—they forced psychology (and other fields, as we will see) to develop new models for characterizing the complex processes taking place. Difficulties associated with the acquisition of mental skills, the development of novel memory functions, and the proper role of general mental ability and native intelligence led many to abandon behaviorism as a psychological model.²²

Studies were suggesting that the processes involved in expert performance were varied and complex, and scientists sought to understand these processes as well as how to develop them. This forced the scientific community to explore new ways of understanding and characterizing the mental activities at work in expert performance. Recent progress in computer science and linguistics suggested a new framework based on the brain's ability to process information. These computational models quickly

²¹ (Ericsson et al. 2006, 43)

²² This is not to say that were it not for these studies of and concerns about expertise, behaviorism would have survived further scrutiny. It does appear as though work on expertise expedited the death of the behaviorist model, and led to new work that would revolutionize (and even create) many fields of study. See (Ericsson et al. 2006, 41–46)

replaced the behaviorist paradigm. No longer a matter of inputs and outputs, the objects of study were the internal mechanisms that produce expert level results (seen largely as the ability to function highly under stress/challenge) as well as the environmental components that allow for these mechanisms to function and flourish.²³

While much of this history is interesting and important, one conceptual distinction in particular has proven critical for future work on expertise. This distinction involved the differences between strong and weak methods of achieving intelligence in computational systems.²⁴ When developing models of the intellectual processes involved in expertise many turned to developing computer programs and algorithms that mimicked the way experts described their thought processes. These early attempts at artificial intelligence employed weak methods for achieving their goals. Weak methods involve reasoning and problem-solving strategies that are broad in scope and not particular to any one field or situation. Some examples of this are trial and error, means-end analysis, and other methods that are largely a function of the program applying any and all possible steps to solving a problem until one succeeds.²⁵ This is a generalist (as opposed to specialist) sort of approach in that the methods are highly portable (i.e. they apply to many different situations and problem types), but

²³ (Ericsson et al. 2006, 45)

²⁴ See (Ericsson et al. 2006, 43) and (Newell, Simon, and Others 1972)

²⁵ See (Ericsson et al. 2006, ch.5 and ch.6)

for all of their portability they are resource intensive and their success rate diminishes as problem complexity and difficulty increases.

Strong methods have largely won the day when it comes to studies of expertise. Where weak methods lead to success with many different problem types at a fairly shallow level of complexity, strong methods lead to success in a small set of problem types with high levels of difficulty and complexity.²⁶ These methods were developed as researchers discovered more about the thought processes, mental and conceptual frameworks, and attitudes toward problems in cognitively demanding fields.²⁷ Scientists discovered experts in these demanding fields, such as medicine, employed methods that were tailored to their respective domains. This tailoring involved the use of complex strategies infused with domain-specific knowledge of language and concepts. These methods were far less portable than the more general, weak, methods, but they were also far more successful when it came to solving difficult problems. This led many to see experts as ‘specialists’ in the same way we currently use that term to describe physicians that study a particular area of medicine.

Due to this early success, psychology and education have largely favored strong methods when it comes to modeling expertise—favoring domain-specific skills and understandings that do not transfer well to other fields. Further developments of the strong methods approach to both

²⁶ See above.

²⁷ (Pauker et al. 1976; Shortliffe 1976)

psychology and artificial intelligence (which was often used as a test bed for the newly developed field of cognitive science) revealed a number of findings regarding experts. According to these findings, experts are not only faster and more successful at solving problems within their domain, but they also use qualitatively different means of solving these problems when compared to novices.²⁸ They also spend much more time qualitatively analyzing problems before attempting solutions when compared to novices. Also, experts tend to view given situations quite differently from novices and even experts in other fields.²⁹

Those concerned with education (both within psychology as well as fields in need of new experts) have focused on these strong methods and how best to pass along knowledge and skill to subsequent generations. By defining expertise in terms of performance in difficult circumstances, psychology, in particular, tipped the scales in favor of supporting and developing knowledge and skills that favor strong methods. There is a tension here, not unnoticed by some in the field, between the critical thinking and broad knowledge associated with weak methods and the extensive knowledge and experience within a single domain associated with strong methods.³⁰ It is unclear just how much one's general intellectual prowess factors into expertise in a given domain. Some promising work

²⁸ (Ericsson et al. 2006, 44)

²⁹ (Ericsson et al. 2006, 44)

³⁰ (Chi 1978; Ericsson et al. 2006, 46–47)

suggests that the development of weak methods will support the further development of strong methods later in one's education. It is also possible that the achievement of expertise in one domain will lead to a lower form of expertise in adjacent domains.³¹

While work on these issues continues, a bulk of attention has gone to the development of specialists. Expertise is something gained over time, and typically it is quite a long time. It would be natural to think that one could simply teach a novice the way an expert approaches problems in her domain, but studies have shown this to be false. The way to expertise, then, is one of exposure over time. The experience gained over this period leads to the mindset necessary to achieve expert performance. The problem is that studies show the need for specific sorts of experience—not just any experience will do. Focused, directed, deliberate practice centered on the intricacies of the domain have been shown to be the most effective.³² In order for the proper inculcation of the mindset necessary for expertise one must be challenged in ways that develop the intellectual resources critical to the domain. These resources include a vocabulary of both concepts and patterns of perception and thought.

That last bit regarding patterns of perception and thought is critical for this project. Philosophers often remark on the importance of saliency and of seeing situations correctly. One of the more interesting things to

³¹ This will come up again in chapter 4.

³² See (Hambrick et al. 2014).

come out of studies of expertise is the concept of ‘chunking’.³³ When presented with a situation, experts see things in ways novices (and experts in other fields) do not. Chunking refers to the cognitive habit of breaking down scenarios into components. A common example involves patterns of chess pieces on a board. Expert chess players are able to break down the layout of the pieces into patterns or ‘chunks’ that can then be moved around and combined in different ways. The higher the level of expertise in a field, the larger and more complex the chunks seen in a situation. This chunking activity involves the expert’s memory of previous games, in the case of chess, and thought processes and knowledge that will lead to better moves based on what is presented.

Chunking is of vital importance when it comes to expertise. How one views a situation is determined by how one breaks down things down and then organizes them into an understanding of what is happening. The knowledge gained over the course of one’s training affects how one determines what counts as a component or chunk, as well as the relative importance of it and how it factors into the larger mental picture. This mental picture of the situation is the starting point for further thought processes that lead to action on the part of the expert. Given that experts are to be specialists in a domain and the knowledge and cognitive skills developed during training are largely domain specific, it is likely that

³³ A term borrowed from Herbert Simon, see (Ericsson et al. 2006, 55).

experts in different fields will see the same situation quite differently. What is more, they will also have a hard time seeing things the way the other expert sees them.

This sort of training, favoring strong methods that lead to increased specialization, results in experts that are molded to fit their domain. Higher education, primarily at the post-undergraduate, has followed (if not driven) the specialization train toward some unforeseen consequences. One consequence in particular has wide and potentially disturbing effects—specialists will develop cognitive dispositions and viewpoints that will lead to what I will call blindspots. A blind spot results from an inability to discern features of a situation due to one's training. The phenomenon is not unheard of—physicians speak of neurologists seeing everything as a brain problem, whereas cardiologists see everything as a heart problem. While this is usually said in partial jest, it turns out to be a real and potentially dangerous trait. One's mind can, in effect, be conditioned in a way that makes it quite difficult to see relevant details whose saliency is due to factors outside of one's own domain of expertise. To a hammer, everything looks like a nail.

2.3 Philosophy and Expertise: What Experts know and How They Know It

When asked what makes a person an expert a common answer is that the expert knows more about a given subject than non-experts. Philosophers

reading that last sentence are likely to have alarms going off in their heads--the term 'know' is notoriously ambiguous and fraught with complications. As one examines the literature on expertise one finds a common distinction being made regarding what purported experts know. In some cases, the expert knows more information about a given domain. This amounts to knowing more facts about a topic--a kind of propositional knowledge. This is commonly attributed to academicians, where one might know a great deal of information about a given period of history or the finer points of photosynthesis. Knowledge of this sort is often claimed to be merely theoretical and is compared to more practical forms of knowledge, leading to a distinction in types of expertise--intellectual expertise and performative expertise.³⁴

In the latter case, an expert would be a person who could perform some task better than a novice or intermediate. Common examples here are professional athletes, chess players, and others whose expertise depends upon more than mere knowledge of facts about the domain in question but also in an ability to act in a certain way on a consistent basis. For instance, in the common example of the chess player, it is not as though the grandmaster knows the rules of chess any better than a novice or intermediate player, but rather that the grandmaster 'plays the game' better. This 'playing of the game' involves much more than just the understanding

³⁴ These categories are disputed in myriad ways. Some of these disputes are addressed in the current chapter, while others are addressed in subsequent chapters.

of the rules or even the understanding of strategies.³⁵ It involves the ability to consistently apply those rules and strategies. In some cases, the expert may not realize (or, in other words, may not know) exactly what strategy she is employing. In this case, she is just playing the game without the conscious realization of how she is doing so. Studies of chess players show marked differences in the ways the board is viewed.³⁶ Expert players view the board in patterns and potential patterns that go unnoticed by novice players. In terms of this distinction, some expert players may be able to describe in detail the sort of moves they see as available and even offer names for those moves. It could also be that an expert player might not know how to verbalize what they see and do, but nonetheless are able to perform the moves and anticipate those of their opponent.

This same sort of performative expertise could be attributed to an athlete like Michael Jordan. In Jordan's case, his expertise was not a matter of knowing the rules of the game any better or even of knowing certain strategies. Players often speak of 'being in the zone' when playing especially well. This sort of phenomenon is often thought to be categorically different from the more propositional sort of understanding and expertise in that there is no conscious realization of how the performer is acting. When asked, the performer might honestly say that he does not know how he did all of those wondrous acts in the game. The fact that the purported expert

³⁵ This will come up again later in this chapter.

³⁶ See (Ericsson et al. 2006, 100–103)

(such as Jordan, in the example) cannot spell out exactly what he was doing or how he operationalized certain facts does not diminish his status as an expert.

Contrast this performative form with the more intellectual approach of a coach. In many cases the coach of a given player/team is able to spell out in many ways the things that need to be done to win, including the strategies and skills that lead to success. This does not mean the coach him/herself can perform the activities at the same level of the athlete. For a variety of reasons one might know what needs to be done while not being able to do it at the level required. These examples lead to two basic sorts of experts: expert knowers and expert performers.

2.3.1 Knowledge and Expertise

This basic division between a more propositional sort of expertise and a more performative form can also be seen in the philosophical literature concerning the epistemological underpinnings of expertise. This split is taken as significant in that one might have one form of expertise within a given domain whereas another person might have a different form of expertise within that same domain.³⁷

Take for instance one common complaint amongst those with experience in a technical field that have no formal education in that field. A

³⁷ See (Bruce D. Weinstein 1993, 59–62)

common complaint about many college grads involves their having plenty of 'book learning' without having the requisite practical experience to use any of it. This is a regular occurrence in fields that, for historical and cultural reasons, have people who were trained 'on the job'. These people often have years of experience working in a particular field such as mechanical engineering but very little formal training of the sort a college graduate would be expected to undergo.

One result of this gap in experience is that two forms of expertise arise. The engineer with years of experience can often solve problems that the younger college graduate cannot. This is due to a kind of performative expertise that has developed over time. This engineer has a bevy of experience on which to draw when facing problems and much of the problem-solving process will be non-propositional in nature.³⁸ In many cases, the engineer in question will not be able to fully articulate why a given solution is a good one, even though it will often turn out to be so. This engineer may be able to put things in a more colloquial language and explain to other suitably experienced engineers why the solution should/does work, but the explanation will be limited.

Contrast this with the college graduate engineer that has 4-5 years of academic training and some limited experience working in labs and on projects within that time frame. What often occurs is that these college

³⁸ If not entirely non-propositional, the understanding this person has will resist codification.

graduates have some difficulty transitioning to the work force. When paired with an older, more experienced engineer with less formal training they can sometimes be faced with what seems to be a case of speaking a different language, even though they are presumably working on the same project/problem within the same field. What the training has given them is a kind of propositional knowledge of the field. This propositional knowledge often takes the form of 'x types of solutions work in y types of problem scenarios'.

The worry that immediately arises is that it may in fact be a different sort of problem that is being faced. The experienced engineer can identify certain sorts of problems faster given that she has faced this sort of problem (or one that was relevantly similar) in the past. She may not be able to fully articulate why a given solution will work but may have a workable solution nonetheless. Years of experience and an associated trial and error process have led to a certain inventory of solutions and an intuition regarding the sort of problem being faced. The propositional knowledge of the college graduate will not help if the relevant particulars are not recognized, treated as salient, and then used to call forth the proper propositional content.

The propositional knowledge is not wholly useless, however, in that this sort of understanding can lead to new, innovative solutions and a recognition of larger-scale issues that might be present. This can often go unnoticed by those lacking the formal training due to a lack of experience

with the principles (and phenomena?) that enable the recognition. This difference is often couched in terms such as ‘practical experience’ and ‘book learning’, but it could also be put in the terms we examining; namely, performative and propositional expertise. The idea is to separate different forms of expertise and allow for a variety of different experts, accounting for the existence of those that know how to do something and do it well without being able to explain why a given solution works or how, exactly, she is doing it.

This is not foreign to philosophers. The difference between knowing-how and knowing-that is a common topic in the cannon, even though it is not always explicitly addressed. Plato and Aristotle, whose discussions of *noûs*, *technē* and *epistēmē* deal with this distinction (among other things), and, more recently, Gilbert Ryle and Jason Stanley have reinvigorated discussions regarding the details and ultimate existence of the distinction. For the purposes of the present work, I will forgo discussing arguments for and against the distinction and assume that the distinction is a real and useful one. What we have thus far is a distinction between intellectual and performative expertise. This can be further broken down into two forms of each.

Intellectual:

1. Technical and holistic knowledge of facts and strategies/methods, typically acquired by way of training.

2. A lesser, more performative sort of intellectual expertise. The activity being performed is intellectual in nature (e.g. chess) but the understanding one has is not technical and holistic in the way it is for a trained expert. One 'knows' what to do and can do it, without being able to readily give an account of why she does it.

Performative:

1. Being able to perform at a high level some physical activity. Knowing how to do something without being able to explain how you do it (e.g. professional athletes).
2. Being able to explain how something is done and being able to demonstrate it without being able to perform the activity/task at an expert level (e.g. coaches).

The performative and intellectual forms of expertise are distinct but they are not separate. It is possible to speak of the intellectual aspects of performative expertise (as in coaches of professional athletes) as well as the performative aspects of intellectual expertise (e.g. chess players in a park). This gradation of expertise will come up again when we discuss interactional expertise and the sort of maturity that needs to be instilled in order for experts of disparate fields to communicate with each other effectively.

This still leaves much work to be done. A philosophical account of the implications of the distinction is critical. With this in mind, we need to examine how one can identify experts and how one is to responsibly incorporate the testimony of experts into one's own deliberation and knowledge.

2.3.2 Identification of Experts

One key factor in the identification of experts lies in their knowledge of a given domain. When asked, an expert is expected to act in way that a novice could not. The form this act takes will vary with the domain of expertise. For instance, a physician, as an expert in medicine, ought to be able to give a novice a rundown of the various parts of the body and how they work--both independently and together with other parts and systems. This rather obvious observation disguises a critical element of how experts can be identified. When asked, an expert can provide more than a mere statement of fact--she can offer an account of how that fact is connected to other facts.

Aristotle is instructive here. His account of what it means to know a thing involves the grasping of its cause (An.Post. 71b-9-11). Put another way, in order to truly understand a thing we need to be able to give some account of the 'why'; i.e. why is it this way and not that way (Physics 194b 17-20). The Greek word here is *aitia* and is often translated as 'cause' but it could also be

translated as ‘explanation’.³⁹ So, for Aristotle, in order to claim knowledge of something, one must grasp and be able to offer an explanation for why it is true.⁴⁰ This explanation must, ultimately, cohere with explanations of other phenomena within the domain of expertise, but also, ultimately, with phenomena outside of that domain.

An example of this coherence at work occurred in 2011, when scientists at the Large Hadron Collider detected what they thought was a particle traveling faster than the speed of light.⁴¹ The finding conflicted with well-established understandings of how particles worked in light of special relativity. What was so striking about the event was not the mere inconsistency of the finding with what special relativity holds, but rather the finding of faster than light travel juxtaposed with the evidence in favor of special relativity. The fact that special relativity has been used to explain and predict other phenomena over a substantial period of time lends credence to the view. The anomalous finding at the collider threatened to unravel our understanding of physics because it threatened the explanatory power that special relativity had already established. This led to skepticism within the scientific community and a search for an explanation. Further investigation led to the discovery of an error that explained the odd finding. The lack of

³⁹ See (Hocutt 1974; Frede 1980)

⁴⁰ Important to note that this is for certain kinds of knowledge. For first principles, we have *noûs* and this is different--they are the end of the line, so to speak, and have no further causes/explanations. They are bare/basic facts about reality that form the basis for explanations of subsequent phenomena.

⁴¹ For a quick review of this incident, see (Cartlidge 2012)

coherence led to skepticism that led to further inquiry to explain the issue and achieve coherence.

The identification of experts, then, involves identifying individuals who understand the relevant kinds of explanations. The sort of explanation we seek is one that explains more than an isolated incident, but rather has the capacity to place that incident in a larger context while retaining a sense of coherence. Most are familiar with the notion of coherence in use here, and people by and large have the ability to spot inconsistency and incoherence when interacting with others. Even when a novice faces an explanation from an expert, there are qualities that can be assessed from the novices standpoint. Getting a sense of the coherence of the expert's claims and explanations is a good start. This alone, however, is not enough. It is plausible for a novice to be in such a diminished epistemic position with respect to the expert that an assessment of the coherence of the expert's claim is quite limited. In cases like this there are other factors that can aid in the identification of experts.

2.3.3 Expert Testimony and Being a Responsible Agent

Authority is closely associated with expertise. As we have seen, in some cases experts are identified as authorities in their field. The use of 'authority' is important and controversial in some circles. In many ways it is straightforward and unavoidable. For instance, the patient-doctor

relationship is one wherein the doctor has a kind of authority over the patient due to her superior understanding of medicine. This sets up an asymmetrical relationship where the patient is dependent upon the doctor for advice on how to proceed or to perform a procedure.

Problems arise when the input of experts is meaningfully tied to decisions we make that have practical and/or moral import. If we are deciding what we should do on behalf of an incapacitated loved one, for instance, our decision and subsequent actions have moral implications. The information we use (as well as *how* we use that information) is tied to the testimony of experts, and necessarily so. Most of us do not have the understanding required to make complex medical decisions and thus rely on the input of doctors. This reliance on the testimony of others does not completely absolve us of moral responsibility, however, and we must utilize the inputs of experts responsibly.

This responsibility is not restricted to moral situations. The broader concept at work is epistemic responsibility. Being an epistemically responsible agent means being held to account for one's beliefs, how one forms those beliefs, as well as the decisions that stem from those beliefs. This applies to knowledge acquisition as well as evaluation of beliefs already formed.

In fleshing out the variety of issues here, Alvin Goldman's work on expertise provides a good starting point. Of particular use is Goldman's

discussion of two problems: the novice/expert problem and the expert/expert problem.⁴² Beginning with the novice/expert problem, Goldman reviews some of the literature regarding the relationship between novices (people without expertise in the given domain) and experts. The primary concern is how to justify one's dependence upon and use of expert testimony. There is a sort of skepticism about justification that concerns Goldman, and rightly so. The problem amounts to a perceived lack of justification on the part of the novice. Because the novice, by definition, does not have the epistemic resources needed to properly judge the expert's claims we are left with a justificatory gap.

John Hardwig, as noted by Goldman, tries to avoid this skepticism by claiming that the novice must place a kind of 'blind faith' in the expert's assertions.⁴³ For Hardwig, this epistemic gap between the novice and expert is unavoidable and irreconcilable. The solution, then, is to admit this as a brute fact of our existence and allow for the novice to gain knowledge by way of expert testimony without a robust sense of justification. This strategy is essentially setting aside the problem of justification and admitting that, strictly speaking, we are not rationally justified in taking the testimony of experts as true, but we are perhaps pragmatically justified in doing so.

This problem is reminiscent of another problem in the (slightly older) literature--the Meno problem. In Plato's *Meno*, we get Socrates admonishing

⁴² See (A. I. Goldman 2001)

⁴³ Hardwig (1985 and 1991)

Meno for endorsing a “debater’s argument” (80d-e).⁴⁴ The Greek word, *eristikon*, refers to being fond of wrangling and/or arguing, part of a contest, and is associated with sophistry and sometimes considered fallacious.⁴⁵ The argument boils down to this: one cannot inquire into the things he knows and one cannot inquire into what one does not know because you either know something or you do not know it, and both disjuncts lead to a lack of inquirability in general. At the heart of this problem is notion that knowledge is a binary concept--either you have knowledge or not. Socrates addresses this problem in terms of recollection of previous knowledge stemming from an immortal soul, leading to us always having knowledge but not always accessing it. This move is repeated in *Phaedo* and other dialogues and is related to Socrates’ maieutic activity.⁴⁶

Aristotle, too, addresses the Meno problem in *Posterior Analytics* 1 when he writes about knowledge acquisition coming by way of previous knowledge (71a29-b9). Here, Aristotle discusses the possibility of knowing something in a sense, but also being ignorant of that same thing in another sense. The way we acquire knowledge is cumulative. We build on basic and imperfect understandings of things, starting with perceptual input when we are young, and moving toward a greater and more thorough grasp as we age, by way of experience and, ideally, training. This acknowledgement of a

⁴⁴ All references to Plato are from Cooper 1998 unless otherwise noted.

⁴⁵ See (Liddell and Scott 1945, 314)

⁴⁶ For a good overview of Socrates as a midwife see (Tomin 1987).

capacity to know something partially, using sense perception and inductive principles (even before we understand these as mechanisms for knowledge acquisition), means that we are rarely, if ever, truly without the knowledge necessary to begin an inquiry.

What is at stake here is more than just the starting point of inquiry. Both the legitimate acceptance of testimony (and its role in knowledge acquisition) as well as the relationship between the expert and novice depend on getting these details right. The Meno problem is connected to a larger set of epistemic issues, including what sources of input we can utilize when we inquire into topics about which we know little. In order for the testimony of others to be a proper source of knowledge we need to establish what sorts of checks we need to put in place, as epistemic agents, to safeguard against mere acceptance of anything we are told. This seems doubly true when the goal of the inquiry is to acquire knowledge that will lead to action. There is a trust factor at work here, as well as a sense in which communication of any sort depends upon the (admittedly defeasible) *prima facie* justification for accepting testimony. This latter concern is clearly on Goldman's mind as he works through the skeptical arguments and assumptions that Harding and others take so seriously.

Goldman shares the struggle with justifying testimony as a source of knowledge with many others.⁴⁷ While I do not have the time or space for a

⁴⁷ (Audi 1997)

grand theory of testimony, it seems to me that an account of why and how we should accept testimony blossoms from what has been said. We have a hypothetical imperative to augment our senses in science. We take what our senses give us, but we also seek to enhance them by way of telescopes, microscopes, and other tools. If we are after the truth about a given subject, and that subject involves our senses, we have an obligation to make those senses as acute as possible. If there are devices that will make our senses more acute in ways that aid in the finding the truth we ought to be using them.

This holds with respect to testimony as well. If we are after facts, truth, etc. about a given subject one of the things we have an obligation to do is to take seriously the input and thoughts that others have had on this issue. In a sense, we trust that the telescopes and other instruments are providing good data—we could learn about the workings of such things but it isn't necessary to know all of the inner workings of our instruments in order to take seriously what they give us. The same could be said of testimony. We have an obligation to listen to experts in a given field, if there are any, if we seek to know the truth about that area.

Testimony is a starting point for both knowledge and further inquiry. In this sense, testimony is on the same footing as perceptual/sense data. We typically take sense data as given and unproblematic unless we have clear reasons to do otherwise. We understand that sense data is defeasible and

imperfect, but in most cases it is reliable enough to use. We understand at least some of the conditions under which sense data is likely to be compromised (noisy environments, bad lighting, one being incapacitated in some fashion). All of this is equally true of testimony. If someone tells us something that seems wrong or improbable we question it on multiple fronts. Did we hear them correctly? Is what they say consistent with other things we know to be true? Are they in a position to know better than we do? Do they say other outrageous things? Just as we test and calibrate instruments to ensure reliability of data, we test the testimony of others, even if we do so implicitly.

This all too brief account of testimony and its justification has two related elements. One, more reductionist in tone, lays out a justification in terms of inductive principles and our ability to spot inconsistencies. The other element is more of a transcendental argument for the need to trust testimony in a defeasible way if we are to know much of anything. Just as in the case of sense data, testimony is required for us to know (or inquire into) anything beyond our immediate experience. We are justified in trusting the word of others as part of a larger knowledge acquisition program. Grice's work on conversational rules is a useful source for defending the role of trust in testimonial knowledge.⁴⁸ If we are to engage in conversation in a meaningful way there are rules to follow. We do this unconsciously most of

⁴⁸ (Grice 1975)

the time, but when a rule is violated we notice and react. Part of what these rules of conversation preserve is truth by way of testimony.⁴⁹

2.4 The Inner and Outer Lives of the Expert

Given what we know about the nature of expertise, human neurobiology and psychology, and the interactions between/amongst these, we are in a position to say some interesting and important things about experts and their experiences. We can look at experts in terms of their inner and outer lives, allowing for a glimpse of how experts experience the world around them as well as how the world relates to them.

Beginning with the inner life of the expert, we see that being trained in a given area is likely to imbue the expert with cognitive frameworks, reasoning strategies, and conceptual resources. These are the qualities and resources that make the expert perform well at tasks within their domain. Expert chess players begin to see patterns (in terms of chunking) that novices do not. Physicians begin to see situations in terms of diagnostically relevant features, and what is ‘relevant’ will depend upon the specialization in question. This leads to biases, blind spots, and limitations on what experts

⁴⁹ There is far more to be said about testimony, but the above will suffice for the purposes of the present work. In particular, more needs to be said about the reductionist vs. non-reductionist approaches for the justification of testimony. This is especially true in the case of very young children, for whom the inductive capacities outlined will not be available. In that case, a non-reductionist approach is necessary, but I would argue that the transcendental sort of argument listed above would fulfill this need. *That* there is a justification is enough for young children to responsibly use testimony as a source of knowledge, regardless of whether or not they are aware of the justification.

in one field can reasonably say about problems in other fields. Lawyers will see a problematic situation in ways that different from how a physician or an accountant would view the very same situation. What makes an expert perform so well in their own field will prevent them from seeing things in what philosophers would call full saliency. The process of becoming an expert involves developing specialized cognitive filters and sensitivities that are great for separating relevant information from noise and then processing that information.

However, this is not conducive to seeing complex situations in all of their nuance. This explains why multiple experts in different fields will see the same situation quite differently and come up with solutions that could very well undermine each other. This is the problem of extension, where expertise in one field does not necessarily translate to expertise in another field. In fact, in some cases, expertise in one field will *prevent* expertise in another field. For instance, someone who has been trained to see things in concrete, actionable terms will by nature resist ambiguity and uncertainty. This is evident in cases where decisions must be made quickly and action taken immediately, such as emergency medicine. A philosopher, someone likely to be trained in ways that seek out ambiguities and examine their consequences would most likely not do well in emergency medical situations.

What we end up with is a person who is trained to see and interact with the world in a certain way. This conditioning is psychological and neurological, leading to a character that is not easily changed or circumvented. The greater the level of specialization the deeper this conditioning goes, and given the push toward greater and greater specialization in a variety of fields and disciplines, this has far reaching consequences. These consequences are not always recognized by those outside the domain of expertise, leading to the outer life of the expert being difficult to negotiate in certain circumstances. For instance, conflicts can arise quite quickly when one group of experts is approaching a situation with their cognitive apparatuses and another group with their own quite different apparatuses. Thankfully, some have seen this as an issue worth exploring and remedying. With the push toward greater interdisciplinarity in the academy (and elsewhere) things like the Toolbox Project are helping specialists bridge these conceptual gaps. Studying the consequences of expertise and specialization makes the need for such projects all the more apparent.

Dealing with laypeople can be even more frustrating for experts. A result of their highly-trained approach to problems and a well-developed understanding of the intricacies of their field, experts often have a hard time expressing themselves to those with no relevant experience. It is common for experts to be thought of as having some kind of esoteric knowledge of

facts about their domain. While this may be true, what is truly esoteric about expert knowledge is what happens between facts and figures--it is the causal relationships, relative importance, and an understanding of how things interact with each other that truly characterizes the expert as opposed to a novice. Philosophers sometimes speak of 'rule-following considerations' when describing the difference between someone being a novice and an expert.⁵⁰ The expert knows the rules of, say, chess, but also knows strategies, can anticipate moves based on an opponent's behavior, has the ability to recognize patterns quickly and knows the consequences that follow from the interactions of those patterns. The novice knows the rules of the game, but the expert knows how to *play*.

Difficulties in communication arise from an expert having to interact with someone outside of their domain. This is true if the outsider is an expert in an adjacent field or is a novice in the larger area of inquiry. Being an expert in another field, especially a field that is similar in key ways, will no doubt aid in overcoming these difficulties, but only once they are recognized and addressed. A shared vocabulary and conceptual framework is needed for communication to take place, and experts have to work at developing these shared resources among various domains. Without this work, experts end up talking past each other, leading to confusion and frustration.

⁵⁰ It is not always put in terms of 'novice' and 'expert', but the considerations clearly apply. See (Boghossian 1989) for excellent overview of the philosophical concerns.

Chapter 3: Moral Expertise

3.1 It's... complicated.

Elitist, paternalistic, and condescending – these are commonly attributed to the notion that there is such a thing as moral expertise. Some detractors claim the concept of a moral expert is not even tenable. Discussions regarding moral expertise can be found in the philosophical, sociological, psychological, bioethical, and legal literature. These discussions are often embedded in larger discussions regarding the relative merits of moral theories, the nature of expertise broadly construed, the political impact of expertise, and other broad topics. For the purposes of the present work, I am focusing on what I take to be examples of common arguments against moral expertise in the bioethical literature, with aid from specific philosophical treatments of both moral expertise as well as moral theory in general.⁵¹ In responding to these objections and the issues they raise, I will develop an account of moral expertise from Aristotelian point of view.⁵²

⁵¹ I am using the bioethical literature as a starting point for reasons that will be clear in chapter 4, but also because this literature includes issues, concepts, and arguments from a variety of other fields.

⁵² I am using an Aristotelian framework, but I shall not be defending that framework against objections from other common moral frameworks (e.g. Kantian deontological approaches, or Utilitarian approaches). To do this sort of work would be outside the scope of this piece, although I join others in believing that Aristotle's work can be so defended, and that while he was obviously wrong about some things, he got quite a few things right.

Expertise is uncontroversial in most areas of inquiry, yet many find extending it to morality and moral inquiry to be a step too far. Critics deny the existence of moral expertise for a variety of reasons ranging from the metaphysical to the social/political. There are also divergent views regarding the relationship between moral action and moral theory, and depending on your view you may see the concept of an expert in the area to be untenable. In most of the prominent critiques there is a combination of a more or less implicit conception of what a moral expert would look like combined with claims about moral reasons. One of the more problematic assumptions regarding moral expertise, or more specifically, moral experts, is that their primary function is to issue action-guiding pronouncements in morally challenging situations.⁵³

These criticisms, and the views of moral expertise upon which they are predicated, provide a useful place to begin. In developing a preliminary definition that is in line with its use in the literature, I shall include in the concept 'moral expertise' both the relevant knowledge and skills that the supposed moral expert possesses.⁵⁴ Building upon the previous chapter's account of expert knowledge, we have the possibility of the moral knowledge of the expert being different in content or in the *way* it is known. I suggest that while there is often some difference in content, it is the way

⁵³ For an excellent treatment of this assumption see (Jones and Schroeter 2012).

⁵⁴ While some make the distinction between morality and ethics, that is not my concern here. For the purposes of this piece 'moral expertise' and 'ethical expertise' are synonymous.

moral content is known that is most constitutive of expertise. While moral knowledge is no more esoteric than any other form of knowledge, it does by nature carry with it features and implications that make it unique among the forms of knowledge. This will be made clearer as we progress through the next few sections.

3.2 The problems

I made reference to a number of types of problems people have with moral expertise. For the sake of argument I am going to make a few concessions. First, any conception of moral expertise will be bound by a moral theory. This means that any account of it will have to grapple with issues such as the existence of moral facts/properties, moral alienation, the role of reasons in action, and myriad others. However, my focus is on epistemic and social problems and I will set aside (for now) the more metaphysical sorts of issues. The Aristotelian approach that I embrace here has many answers to offer, but time and space constraints force me to save those for future research.

3.2.1 The Rejections

In order to organize the material regarding moral expertise and the typical issues raised in the literature, I am using two articles as a starting point. The points raised in these articles touch on major themes in both the philosophical and the bioethical literature--the fields with which I am most

concerned. The first piece is “A New Rejection of Moral Expertise” by Christopher Cowley.⁵⁵ Cowley’s primary concern is with what he calls ‘descriptive moral expertise’ (DME).⁵⁶

DME: The ability to make expert moral judgments about what ought to be done in *this* situation and the capacity to justify such judgments. Cowley contrasts this view of moral expertise with ‘performative moral expertise’, with the distinction being closer to intellectual or propositional expertise contrasted with performative expertise as discussed in the previous chapter. The moral expert in Cowley’s account is someone who makes judgments, argues successfully in favor of these judgments, and thus commands a kind of authority in moral matters. His use of clinicians as examples is telling, as he treats clinical (and scientific) expertise as the standard to which moral expertise is held. Just as a non-expert would be considered irrational if he were to challenge the authority of the clinician when diagnosing and preparing a treatment plan, so too would he be considered irrational for challenging the moral expert’s judgments--that is, if moral expertise is a genuine sort of expertise.⁵⁷

Of course, for Cowley, moral expertise is not a genuine sort of expertise. Cowley cites, and occasionally argues for, a few primary

⁵⁵ (2005)

⁵⁶ This is a concept he borrows from the work of Weinstein. See (Bruce D. Weinstein 1993) and (B. D. Weinstein 1994)

⁵⁷ Cowley does make concessions to the ever-expanding lay understanding of medicine, but it is assumed for the sake of his examples that the situations faced are beyond such understandings. See (Cowley 2005, 276–277) for more on this.

motivations for this claim. First, Cowley claims that there is no ultimate arbiter of truth in ethical disputes.⁵⁸ Expertise is tied directly to the moral theory that gives it content. Cowley claims that we all have a (more or less) implicit moral framework that colors the way we perceive situations. Here, he is appealing to moral perception, and claiming that this perception is determined by our moral framework. For instance, if our moral framework is largely concerned with rationality, we will see situations differently than if we were primarily concerned with sentiment. According to Cowley, “the meaning of the situation to a specific individual, the way that individual experiences the situation” is due in large part to this moral perception and this is something that takes place *prior* to deliberation. The individual’s reasons and judgments are made from within their moral framework and derive meaning and force from this framework, not from any objective moral reality.⁵⁹

Cowley takes this to mean that disagreements in ethics are different than in other areas of inquiry. They are more entrenched and intractable because they do not track an objective reality. Since we have moral theories that describe moral frameworks that are mutually exclusive, and it is legitimate to support (and presumably embody) any of these frameworks, ethical disagreements are destined to be intractable. This leads to a number of issues, with the most important being moral judgments lacking

⁵⁸ (Cowley 2005, 274)

⁵⁹ (2005, 276)

normative force. There is a limit to how much one persuade another in moral matters if the two agents start from different moral grounds (i.e. employ different moral frameworks and thus perceive situations differently). The content, definitions, feelings, etc. will be fundamentally different and there is no reconciling that. If someone disagrees with you about the nature of an ethical issue or situation, there is little more you can do than say “do you not see?”.⁶⁰

This is, in Cowley’s view, reason enough to “ban the term ‘ethicist’” and to claim that moral philosophers have no special role to play on research or clinical ethics committees.⁶¹ The sort of expertise that is possible in moral matters is essentially useless, as it would depend upon a viewpoint that is easily contested, limited to specific moral frameworks that are not shared by all, and devoid of meaning for those who would disagree. Cowley claims that this is not a form of relativism and that there are things that can be learned to help in ethical disputes. Better reasoning skills, for instance, would help, and perhaps some training in political conflict resolution would aid in bringing opposing ethical actors to an arrangement. These are not unique skills, however, and amount to little more than critical thinking skills.

Philosophers reading Cowley’s piece would no doubt take issue with many of his claims. Indeed, some have taken him to task on a few of the

⁶⁰ (2005, 278)

⁶¹ (2005, 279)

softballs he has thrown at the work of moral philosophers.⁶² Despite the temptation to deal with each of Cowley's points in turn, circumstances dictate that I narrow my focus. Although it clearly involves metaphysical issues, which I previously claimed I would set aside for the moment, it is important to at least touch upon Cowley's claim that moral perception does not track objective reality. This is not unique to Cowley--indeed, he uses a quote from a clinician to make this point clear.⁶³ That morality is largely (if not entirely) a subjective thing is common in non-philosophical circles, and as such it is worth say something in the direction of a response.

There is another thread to pull in Cowley's piece--what is sometimes called the Problem of Disagreement.⁶⁴ There are a few different takes on this problem, but they all boil down to concerns regarding the nature of moral disagreement and the implications these disagreements have for the tenability of moral expertise. The claim is that the disagreements among ethicists (and moral philosophers) undermine any legitimate claim to expertise. There is no, or at best very limited, consensus regarding the scope of the domain, the meaning of the central terms, and other fundamental aspects. Cowley uses this as a foundation for his claims against the tenability moral expertise.

⁶² See especially (Crosthwaite 2005)

⁶³ (2005, 274) citing Ruth Shalit.

⁶⁴ See (A. Goldman and Whitcomb 2011) ch.9 for a good overview.

The second critique is found in “Why Moral Philosophers Are Not and Should Not Be Moral Experts” by David Archard.⁶⁵ Archard sets out some preliminary remarks regarding expertise in general that will later play into his critique, and I will focus on two that are particularly important. First, Archard makes great use of the exclusionary nature of expertise.⁶⁶ Experts command knowledge and/or skills that others do not--if everyone were an expert, no one would be an expert. Archard takes this to be baked into the concept of expertise and the source of authority experts have within their domain.

Archard also makes a distinction between being *an* authority on some subject matter, and being *in* authority. Being *in* authority means that one’s judgments and pronouncements have the force of commands, as a general in battle would have over his or her troops. Being *an* authority means that one’s judgments are to be taken seriously, but not taken as orders or commands. For Archard, this is how moral expertise ought to be taken if it is to be defended at all. The moral expert would make judgments that the non-expert ought to take seriously and would have reason to consider strongly, but they are not definitive. Experts disagree, and it is possible for an expert to be wrong. Archard takes this, too, as simply part of the definition of expertise and uncontroversial.⁶⁷

⁶⁵ (2011)

⁶⁶ (2011, 120)

⁶⁷ (2011, 121)

After this brief discussion of expertise in general, Archard lays out three arguments against moral expertise that he finds unconvincing.⁶⁸ Ultimately, Archard believes that moral philosophers can claim some limited form of moral expertise.⁶⁹ Philosophers have an understanding of proper reasoning, the ability to disambiguate, as well as facility with concepts and theories that would seem to put them at an advantage when it comes to normative judgment. However, Archard claims that moral philosophers ought not urge non-philosophers to accept and act upon these potentially superior judgments for two related reasons. First, if what we are seeking is to have people acting morally then we must have people acting from judgments that they themselves make. The assumption here is that in order to act morally one must perform the action *because* it is morally required (or, at least, morally permissible). There is an implicit internalism here that I shall explore in the coming pages.

The second, related, reason is that there is a value to democracy that could be undermined should the laity start acting upon the judgments of experts rather than their own judgments.⁷⁰ Archard puts this in terms of ‘self-governance’ but the argument could be extended to include the broader (and less politically oriented) concept of autonomy. It is this latent appeal to autonomy that forms the relation between the two reasons he

⁶⁸ I will return to these arguments shortly.

⁶⁹ (2011, 125)

⁷⁰ (2011, 125–126)

offers. While he does not go into detail regarding the relation between moral reasons, motivation, and action, the signs all point to this being his primary concern.

With these two articles, and the concerns they raise, we have a sample of the sorts of critiques that are commonly raised against moral expertise. In sum, we have concerns regarding the nature of morality and the level of disagreement about moral concepts and theoretical frameworks. We also have concerns about the role of perception and how much of moral judgment is determined by pre-rational factors. Additionally, there are epistemological concerns regarding the nature of moral testimony, moral deference, and the relation between moral knowledge, motivation, and action. Lastly, woven through all of this is a concern regarding the impact that knowledge of moral theory has on the actions of those who have it.

3.3 An Aristotelian Response

It should be said that no serious philosopher would claim moral expertise is easily achieved, but this difficulty does not entail impossibility. Critics are right to point out that the sort of moral theory one espouses will determine (at least in part) what sort of moral expertise is possible. The argument from disagreement throws down a challenge that needs to be addressed--if there is so much disagreement among moral theorists regarding the fundamental concepts of the moral domain, why trust any of them? The space required

for a full response to this is far outside the scope of this piece, but the question is important and I shall at least gesture in the way of a response.

Archard dismisses the argument from disagreement, largely because he sees disagreement regarding fundamental precepts of a discipline in areas in which we acknowledge expertise.⁷¹ He cites examples in statistics, physics, and biology, claiming that there are disagreements among experts in these fields that go beyond what we find in moral philosophy. Archard is right to point this out, and he is not alone in doing so, but one could simply accept this and claim expertise is not possible in these fields, either.⁷² It is interesting, and important, that for the most part this level of skepticism is reserved for moral (and often political) matters. It speaks to a common concern that will run through most any discussion in ethics--the seemingly deeply personal nature of moral belief.

Moral philosophers will see the spectre of relativism here. We have good reasons to reject moral relativism and, I believe, good reasons to embrace moral realism and the attendant cognitivism. I assume the truth of these, but I do so with open eyes to the implications of such a stance. It is possible, for instance, for someone to wrong about a moral issue. It is possible for someone to be wrong about what is good for themselves, as well. We are not always the best judges of what is good for us and it is worth pausing and taking note of this. It also important to note that while this is

⁷¹ (2011, 121–122)

⁷² (Jones and Schroeter 2012)

true, if we are wrong about what is good for us in a situation (or many related situations) a moral theory must have a story to tell explaining *how we came to* the wrong conclusion, not simply *that* something is the wrong conclusion.

Aristotle, along with 2,300 years worth of commentators, classicists, philologists, and like-minded philosophers developed an approach to ethics that can be called Aristotelian. This approach is often referred to as virtue ethics in contemporary literature, though it is important to note that there are other forms of virtue theory that fit just as well in that general category.⁷³ The tradition from which I work is most appropriately labelled eudaimonism, and more specifically the Aristotelian tradition of eudaimonism. Providing a full account of this tradition is not the aim, here, but rather demonstrating how this theoretical approach can inform the work on moral expertise and provide a picture of what a moral expert would be like. As such, I will refer to Aristotle's work as well as the work of others in the tradition, but I shall not defend specific interpretations against rivals within the tradition. What follows will be recognizably Aristotelian to any familiar with the canon.

Aristotle's ethical system is based primarily on his psychology, with a healthy dose of epistemology.⁷⁴ Ethics, Aristotle claims, is different from and

⁷³ Christine Swanton has done wonderful work in this vein. See (Swanton 2015, 2005)

⁷⁴ For a good introduction to how Aristotle's psychology is broader than our own notion, as well as how the study of the soul, or *psuchê*, forms a critical component of Aristotle's entire philosophical system, see (Caston 2005).

less precise than other fields of inquiry (*NE* 1094b12-27). One ought not expect the precision of, say, mathematics when seeking normative truths. There are a few key features that answer to the objections typically raised against moral expertise. First, some of the basics of his account of action, and how habituation aids in the training of the agent's psyche. For Aristotle, desire (*orexis*) is what moves us or makes us act -- reason alone cannot motivate (*NE* 1139a35). However, Aristotle's account of desire is unique (in comparison to, say, Kant and Hume) in that reason has a desire associated with it. Human beings are composite beings in Aristotle's view, with vegetative, animalistic, and rational aspects.⁷⁵ The human soul shares in all three of these and there are aspects of the human *psuchê* that correspond to each. Each of these aspects has a corresponding desire or psychological impulse toward action. It is this impulse that motivates the human to action, and it can originate in any of these aspects of the soul (see especially *DA* 414a29-416b31, 418a).

This account of desire is critical. We inherit from Hume the view that reason and desire are separate, and we often think of desire being opposed to reason (*Treatise* 2.1-2.3). The picture is different, according to Aristotle. The rational aspect of our psyche accounts for our ability to reason, to think abstractly, etc. and there is a desire that is particular to this. It is variously

⁷⁵ Talk of 'parts' of the soul is common, but it is important to note that commentators disagree on precisely what Aristotle is claiming. I say aspects to avoid confusion regarding what sort of separability is meant when speaking of parts. See Miller 2012 for more on the various notions of separability in Aristotle, and Alexander of Aphrodisias' commentary on *De Anima* for a compelling treatment of the unity of the soul.

translated as ‘rational wish’ or ‘reasoned desire’ but the Greek word is *bouleisis*. This sort of desire arises out of one’s reasoned view of things; i.e. while reason or knowledge itself does not motivate, there is a type of desire that stems from this sort of activity due to the type of soul we have. One’s reasoned judgments can and often do result in desires just like the needs for food, water, sex, social acceptance, recognition, etc (see *NE* I.13, VII.4).⁷⁶

One of the most important things that sets these non-rational desires apart from the rational ones is the fact that the rational ones have a causal link to our conception of the good as such--what is to be done or not in an inclusive sense--whereas the non-rational desires do not have such a link. So, when one is young, one may have impulses toward rash behavior when one is thought to have been insulted (say, quick tempered). There can be a thought associated with this (i.e. part of the content of the desire could include) that says ‘when one is insulted one ought to respond in X fashion’.

On Aristotle’s view this is entirely likely, but that thought does not mean that it is a reasoned desire in the sense of *bouleisis*. When one is trained and habituated properly, the anger here will ‘listen to reason’ -- i.e. it will respond in a way that reason dictates (*NE* 1149a25). In this sense, reason persuades the passions -- one can, by use of reason, investigate the true nature of the good for humans and thus change one’s conception of what is worthy of getting angry over and not. It is the rational part of the soul that

⁷⁶ See also (Cooper 1989)

investigates the good, and its findings are to be communicated to the passions by way of training and habituation--the process of character formation.

This initial training by habituation is to start, crucially, when one is young. Guided experience, following the lead of others in the community, starts the character formation process. One begins to see what is good or bad due to this influence by others, emulating their actions and developing a sense for what is valuable and what is not. Eventually, one's reason develops and one can begin to investigate for oneself. One begins to develop a more nuanced view of what, say, anger is and its proper outlets and subjects, or why certain foods are better than others and the proper amounts. So, the normal and basic thoughts that accompany anger, such as 'when slighted one ought to punish the sligher', will, as a result of the influence of reason, become nuanced. One might, for example, get a broader sense of what a 'slight' is, when it is appropriate to respond and the proper responses to various sorts of slights, and so on. If one is virtuous, then one is ruled by one's reasoned desires. That is, one's passions are informed and tempered by reason (*NE* II.1-3).⁷⁷

For Aristotle, when this occurs, one will come to see the world differently--different aspects of situations will become salient and one will perceive situations differently than before one was virtuous. The use of

⁷⁷ See Taylor 1990 p.132-133

analogies to sight and vision are common in both Plato and Aristotle, and this moral perception is a critical component of virtuous agent's character. There is a grasp of the various ethical features of situations that comes along with the combination of habituation and formal training. While the details regarding this perception's development and use are fascinating, and controversial in some respects, the fact that it can be trained and is not beyond the reach of rational deliberation is well established.

Another key feature of Aristotle's ethics is the way knowledge needs to be internalized in order for it to play its proper role in the life of an agent. This is most clearly seen in Aristotle's account of *akrasia*, or weakness of will.⁷⁸ It is not enough to know moral principles in some haphazard way, but rather one must know them in a way that affects the way situations present themselves. There is a connection between moral perception and knowledge that cannot be overstated. As one comes to know more about what is good for human beings, and this knowledge is properly assimilated, the agent will no longer see, for instance, a chocolate cake as something to be devoured. It is, rather, seen as something to be enjoyed in moderation. Things are seen *as good* or *as bad* in an immediate, perceptive way, prior to any deliberation in the moment. It is this assimilation of moral knowledge that sharpens one's moral perception.⁷⁹

⁷⁸ There is a whole literature on how *akrasia* is best translated. The use of 'will' is typically frowned upon, but its prominence in the rest of the philosophical literature leads to its use here, as well. For more on this, see (Michael and David 2011).

⁷⁹ There is more to be said regarding the internalization/assimilation of knowledge, but it would be beyond the present scope. It is related to the particular, and the minor premise of

All of this training is meant to develop what Aristotle calls *phronesis*, or ‘practical wisdom’. Practical wisdom involves the use of knowledge in the pursuit of living well (*NE* 1140a28). One who is practically wise sees moral situations properly, with the various moral features being properly salient, as determined by what is constitutive of a good life (*NE* 1140b20). *Phronesis* is the goal of ethical training and is inherently practical, meaning that when we undertake ethical training and develop theories about how best to do it we are aiming at making people *act* better. Ethics is a *practical* discipline and concerned with action, not mere knowledge of principles.

3.3.1 Defending Moral Expertise

We are now in a position to say, in essence, what a moral expert would be like in an Aristotelian framework and respond to the concerns raised in the previous sections. First, Aristotle’s moral expert would be a person of practical wisdom, or *phronimos*. This person is able to see all of the ethical nuances of a situation, is motivated to act as virtue requires, and does so successfully. She has been trained by those around her, taking advantage of second-hand moral knowledge and gradually developing the wisdom to act

a practical syllogism. (Kenny 1966) speaks of this in terms of ‘knowledge ready to hand’ and how the agent needs to be able to use the knowledge one has. He makes a useful reference to *Theaetetus* and the aviary example. I believe much of what Kenny does in this article paves the way for later work, like (Destrée 2007) and my own, to speak in terms of assimilation and internalization. See especially pp. 170-175. It is also important to note that (Filip Grgić 2002) makes use of the knowledge of the particular but fails to focus on the importance of assimilation and *phantasia* -- see especially 344-347.

on her own. With this in mind, we can already see solutions to the above problems presenting themselves.

Starting with the argument from disagreement, there are a few things to be said. First, ethics is not a precise domain--it deals with things that can be true in some cases and not in others. For instance, returning what is borrowed is something that is good to do and worthy of being a moral principle. However, one ought not return their neighbor's axe when said neighbor is in a fit of rage.⁸⁰ Ethical features of a situation can be quite slippery and tough to discern, and there can be more than one way morally defensible action to take. As noted above, Aristotle warns us against expecting more precision than the subject matter will allow.

This leads us into the notion of disagreement. Not all disagreements are equally troubling. The most troubling form is one in which the fundamental aspects of a field or domain are in question. Cowley is concerned with this sort of disagreement when he claims that ethicists often disagree about the basic concepts (the meaning of moral terms) and that there is no arbiter of truth to act as a backstop against regression. While it is true that expertise and the knowledge that makes it possible is tied to theoretical frameworks (a deontological moral expert would look different than a eudaimonist or utilitarian expert), this does not mean that expertise is doomed to vacuity. Archard notes similarly fundamental disagreements

⁸⁰ This example is based on *Republic* 331c.

in fields where we readily acknowledge expertise, such as economics.⁸¹ It should also be noted that ethicists tend to agree on many things. Rape and murder are bad, for instance, and a whole host of other features of moral life are in wide agreement and acceptance. When disagreements do arise, the Aristotelian model offers an arbiter, namely, the same reality that acts as an arbiter in scientific matters.⁸² Claiming that such an arbiter is theory bound may well be true, but this is true in science as well, and is not unique to ethics.

Worries regarding moral perception are addressed as well. The Aristotelian model takes this concern very seriously and has a story to tell regarding the importance of seeing a situation properly from the start, as well as how to train and sharpen this perception. Contrary to Cowley's claim of it being pre-rational and immune from persuasion, moral perception is formed over time due to the influence of other moral agents and the effects of habituation and other training. It is true that in any specific moment the way something appears to an agent is not subject to deliberation, but the mechanisms behind this perception *can* be persuaded and affected. If my emotions are trained to respond to reason, as described above, then my reaction can be tempered and adjusted in light of new information. This will, in turn, affect how I see (and react to) future situations. This

⁸¹ (2011, 121–122)

⁸² (Taylor 1990)

development and continued sharpening of moral perception is just the sort of persuasion that Cowley thinks is missing.

Archard raises concerns about motivation, deference, and the role of moral testimony. The idea that a moral expert is someone who hands out reasons for action like a morality Pez dispenser is problematic in a number of ways. The moral expert is not there merely to give prescriptions for action or to hand down decisions on which the agent acts. The moral expert is better seen as a guide, or a coach, passing along what is known about morals and ethically-challenging situations.⁸³ This is reminiscent of a Socratic concern regarding teaching, with Socrates rejecting the idea that he is a teacher.⁸⁴ What Socrates is rejecting is the notion that the sort of knowledge he is after is something that can be handed over to another person, like pouring wine into a vessel. In order for knowledge to truly be achieved, it needs to be internalized. This is something the expert can facilitate by way of moral testimony and the modeling of good behavior, but the agent ultimately needs to make it her own.

While moral expertise can, I believe, be defended against these standard objections, there are problems that need to be addressed. The most troublesome issue arises out of the studies of expertise mentioned in the previous chapter. We know from these studies that expertise is

⁸³ In the Socratic case the expert could be seen as a midwife. See (Tomin 1987).

⁸⁴ Probably the most famous example of this is *Apology* starting around 19c. There is more to be said regarding the Socratic rejection of sophistry and epistemology behind it.

something that trains the mind to see and react in specific ways--to the exclusion of other ways of doing so. This seems to imply that if one is an expert in a given field, then one will have difficulty in discerning the finer points of issues in other fields. We inculcate cognitive blinders when we train people, as evidenced by sayings like ‘everything is a surgical problem, if you are a surgeon’.

This may be fine in some cases, but in ethics it could be extremely problematic. For instance, if one is an expert facing an ethical situation that involves detailed knowledge of another discipline, as is common in hospital ethics committee meetings, then it could turn out that one is *necessarily* blind to the ethical features of the situation that arise from this other expertise. In the next chapter, I go into this problem in more detail and show why we need to start looking at moral expertise in a new way.

Chapter 4: Bioethical Expertise

4.1 Problems and Asymptotes

Most common criticisms of moral expertise arise from concerns regarding moral motivation and moral authority. While I believe there are answers to these concerns readily available in an Aristotelian framework, this is not to say that a fully worked out theory on these lines will be problem free.⁸⁵

There are concerns that stem from the psychological and neurological work done on expertise and learning, discussed in chapter 2, that require some additional conceptual resources to handle properly.

The problems I have in mind result from the process of attaining expertise and the changes that this process forces onto the minds (and brains) of those undergoing it. We have what some call the problem of extension, which is the notion that expertise in one area does not automatically extend to other areas.⁸⁶ So, if one were an expert in biology, one is not therefore an expert in, say, physics. This might seem obvious, but what studies have shown is that the sorts cognitive tools that experts develop

⁸⁵ The present work is not intended to be this fully worked out theory, but rather the start of such.

⁸⁶ (Buchanan, Davis, and Feigenbaum 2006, 89)

are typically domain specific, and as one becomes more specialized within a field of study these tools also become more specific and specialized.⁸⁷

Take a field like physics. If one were to ask a group of self-identified physicists where their expertise lies, they would likely say more than simply ‘physics’. They would more likely claim to be an expert in thermodynamics, particle physics, theoretical physics, cosmology, or some other sub-field of the discipline. There is certainly some overlap among these areas, but what we find in the studies of expertise is that the tools necessary are sometimes quite specific and the information needed ready to hand can be immense. What works well in one area might not be ideal in another.

Further complicating matters is the fact that one cannot simply use different tools. In chapter two I brought in some of the research on how training in specific areas leads to changes in the ways the expert approaches problems more generally. During the training process, experts inculcate strategies and methods of thinking, analysis, memorization, etc. that actually make changes to way their brains operate.⁸⁸ What we end up with are people who have skills tailored to the specifics of the problems they commonly face. This is great for solving problems in their respective domains, but it leads to something like a blind-spot when dealing with other domains. When facing a complicated case, for instance, a cardiologist is more likely to pick up on symptoms associated with cardiovascular issues

⁸⁷ (Feltovich, Prietula, and Ericsson 2006, 43, 46)

⁸⁸ See (Hill and Schneider 2006) for an overview of the current research.

while a neurologist examining the same case would be more likely to pick up on neurological symptoms.

While these differences may seem minor in the case of similar fields, as in the differences between medical specialties, they are far from minor when extending to problems involving very different forms of expertise. A scientist specializing in one area is likely able to speak with other scientists in related areas, such as physicists of different types all discussing themes in the larger body of physics. This is true, as they all have a kind of intermediary form of expertise.⁸⁹ If we think of knowledge as a tree, physics might be a branch, with smaller branches representing the various sub-fields. The analogy could be extended to include other sciences as branches of a larger branch, a generic 'science' branch of knowledge. There are commonalities among the sciences, but those commonalities mean less the further out on the tree you travel.

The larger problems arise when dealing with entirely different branches on the tree. For instance, if a quite complicated issue arises that involves not only medical concerns of various sorts, but also social concerns, legal concerns, financial concerns, political concerns, and the list could go on. The likelihood of someone being able to command the nuances of such a case is virtually nil. When lawyers face these kinds of issues in their cases, they rely on expert witnesses to help them sort out details to judge where

⁸⁹ This will be discussed in more detail shortly.

best to focus their attention. The bringing together of experts in different areas to address complex problems is common in some areas of society. Of particular interest presently is how this happens in bioethics. Centers, think tanks, and ethics committees are examples of this--experts from different fields coming together to examine the problems of a domain.

The connection to moral expertise is this: when speaking of moral experts, it is common to speak in terms of one individual being the moral expert. However, if we are facing a situation as complex as those found in bioethics, we are likely to find a wide variety of features that carry moral weight. There could be legal issues that complicate matters, and when combined with medical concerns and political factors the moral landscape of a particular case could quickly get very technical and difficult for one person to handle. If we are to admit that nuances in a variety of areas (say, political, legal, medical, etc.) have moral implications, and some of these nuances are things that only experts can truly see and evaluate, then we have a situation where it is unreasonable to expect one individual to have the knowledge and cognitive toolset to be a moral expert.

Of course, this does not rule out the possibility of an individual being a moral expert in matters of everyday life. Indeed, if the Aristotelian *phronimos* is thought of as a moral expert, it would be damning to find evidence against the existence of moral expertise writ large. It seems reasonable to expect moral expertise to come in degrees, just as other forms

of expertise, with the *phronimos* being an ideal that we pursue and achieve only asymptotically.

While this is an interesting line to pursue, I want to turn to the case of bioethics in particular. The case for moral expertise in bioethics receives a fair amount of attention in the literature, and I chose the example sources in the previous chapter in part for this reason. Bioethics, and its practitioners, have the opportunity to influence policy at many levels of society. They often deal with particular situations with the health and well-being of people at stake. Explicating and defending the notion of expertise in this domain is critical if we are to make the best decisions possible and lay a consistent and stable normative groundwork for others to build upon.

4.2 Bioethical Expertise: Groups, not individuals

It might be possible to develop a model of moral expertise for all occasions, but restricting moral expertise to a specific domain is more tractable and arguably more useful. Beginning with the basic account of moral expertise sketched previously, we can move into an account tailored to the needs of bioethics. As noted earlier, a variety of fields contribute to bioethics. Experts within these fields bring their knowledge and talents to bear on questions that are multifaceted and often emotional. Given the complex nature of the content, we face the problem of it all being too much for one person to truly handle and thus earn the title of ‘expert’. Rather than searching for the

polymath capable of such a feat, we ought to be attributing bioethical expertise to groups of people, rather than an individual.

Moving the attribution of expertise from individuals to groups is both useful and necessary. It would be natural to harbor a bit of skepticism about the move--expertise is normally something we associate with individual agents. It is easier, for instance, to conceive of an individual having the knowledge base necessary for expertise rather than a group having such a knowledge base, if only because we typically speak of individuals knowing things, not groups. Agency is also a potential problem, as it is less straightforward how a group could act, perform, or be responsible for something. A full-scale accounting for these concerns will take time and space not presently available, but work in social epistemology combined with the Aristotelian framework sketched above gives quite a bit of insight into how such an account would work.

4.2.1 Group Judgments and the Role of the Bioethical Expert

Moral experts should be able to make reliable judgments about the ethical features of a situation, their relative importance, and how best to proceed--most agree with this even if they think it is untenable. If presented with a complex situation, like the majority of bioethics issues, it is not uncommon to find some subset of members of the group expert disagreeing with the others. In such cases it is difficult to identify the

judgment of the group, let alone what sorts of prescriptive actions might follow from that judgment.

Philip Pettit's work on these issues gestures at a path forward. Pettit uses the idea of a rational unity when discussing what he calls purposive groups.⁹⁰ In short, Pettit claims that groups of individuals that share a common purpose can display a level of rational consistency on par with that of an individual. Rational consistency--accepting the premises of an argument as well as the conclusion that follows--can be threatened by a member of the group who agrees with the facts of the case yet refuses to accept the judgment that follows (the conclusion). In cases where one or more members of the group disagree about key features in the group judgment (i.e. what facts are most relevant, what follows from those facts, etc.) the group can remain consistent due to its being ontologically distinct, but not separate from, the individuals of which it is composed.

This sort of work is useful for those occasions requiring a prescriptive judgment from which an action ought to follow. However, this is not the only function of the bioethical expert. There will be many cases in which the bioethical expert takes on a more advisory role. Aristotle was right to say that ethics is less precise than other domains of inquiry. Two things follow from this; first, there are times when explicating and disambiguating is enough of a step forward to warrant acceptance. Some cases are so fraught

⁹⁰ See (A. I. Goldman 2004) for a brief overview of Pettit's view, with the full treatment being in (1996 ch.2) and (List and Pettit 2011), especially chapter 2.

with myriad issues and ethically salient features that definitive judgments about what ought to be done will be difficult to determine. In such cases it is enough to have made progress on the topic by detailing the features in need of attention. This is especially true in bioethics, where these features will likely be under the purview of disparate administrative bodies. For instance, it could very well be that there are legal hurdles that are causing problems at the level of patient care in ways that have gone largely unnoticed (or, at least, unaddressed). Final judgments about what to do may be dependent upon the resolution of these prior conflicts.

Another thing that follows from the imprecision of ethics is that it could very well be the case that there is no one correct action to take. In some cases, there could be more than way to achieve one's ethical goals. The final judgments made in such cases may take the form of a disjunction, with various possibilities being open to the agents involved. Group members may favor one take on the situation over another while admitting that there are other, equally valid, ways of seeing things. In these cases the members of the group could present their findings to the larger community of bioethicists as a means of moving the conversation forward. There will no doubt be a number of others for whom a similar problem arises and having had a peer do an analysis that could feed into your own can be very useful.⁹¹

⁹¹ This is especially true in clinical settings, where decisions may have time restrictions.

This latter point regarding the communication of differing analyses is critical. Not only will there be cases where more than one ethical analysis is consistent with the group's goals, but there will be cases where there is genuine disagreement about the case as whole. In these situations coming to a consensus regarding the relevant details of the case as well as possible solutions may be impossible at the time. We see a similar phenomenon in the courts, especially in the Supreme Court. The majority and dissenting opinions offer different analyses of the case, emphasizing or acknowledging different features and usually offering different conclusions and actions to be taken. These disagreements are important in that they show that there is more work to be done in coming to a consensus, as well as a roadmap of where future scholars and other inquirers can begin that work. With the benefit of hindsight we will see that in many cases the majority was wrong, but without the work of those dissenting progress toward seeing those errors will be slow.

4.2.2 Interactional Expertise and Listening to Reason

It is not enough to simply acknowledge that disagreements will happen when bringing experts together. Some disagreements arise due to factors that can be dealt with, given proper training and certain level of humility among the players. One of the primary areas that leads to disagreement among the experts that form the group-expert involves language and the

use of concepts. O'Rourke and Crowley lead a project that aims to ameliorate the difficulties involved in interdisciplinary research, and their work can be directly applied here.⁹² What they find is that there are assumptions, ranging from epistemic to metaphysical, that can lead to confusion due to group members from different disciplines talking past each other. It is not much a of leap to see these sorts of issues arising in bioethics, with the bringing together of individuals from disparate disciplinary backgrounds.

However, the members of the bioethics group-expert will need more than a shared vocabulary that facilitates communication. In order to truly embody the Aristotelian model of moral expertise, the group would need to have a kind of group-level *phronesis*. This involves the ability to see, at least in part, the features of a situation from the point of view of the members. On the face of it, this may seem impossible given what we know about experts and the ways their cognitive faculties are shaped by their expertise. Experts from different disciplines will perceive the same situation differently and this is a function of the very training that makes them viable (and valuable) members of the group-expert.

There are two conceptual resources that together form a way out of this problem. The first is *interactional expertise*, which is the ability to converse expertly regarding the subject matter of another discipline without

⁹² (2013)

being an expert in that discipline.⁹³ This is achieved, in part, by way of the sort of training that takes place in the Toolbox approach pioneered by O'Rourke and Crowley. There is a kind of enculturation that takes place over time as individuals gain an appreciation for how other disciplines use concepts and language. In a domain like bioethics, where the members share a common goal or direction, we can start to see the formation of a new discipline that expands upon the conceptual resources brought by its members to develop its own usage and definitions of those resources. What we end up with is the individual members having a sort of interactional expertise in the other fields that contribute to bioethical inquiry, and the formation of a new form of expertise that is specific to bioethics--one that combines the individual's native expertise with the interactional expertise described. The nature of the interactional expertise required is determined by the contextual bounds of bioethics, i.e. ethical and political issues regarding healthcare broadly construed.⁹⁴

The second is an ability to take the input of other group members with a sort of charity and intellectual humility that allows their reasoning to take hold in one's own reasoning. This is admittedly vague, but combining some work by Kahneman and Aristotelian moral psychology gives us some insight into how this would work and why it is so important. Kahneman's

⁹³ (H. Collins 2004)

⁹⁴ This is assuming the definition of bioethics as a field concerned with healthcare, as described in chapter 1.

work on system 1 and system 2 modes of cognition is a start. System 1 is the intuitive, immediate, perception like cognition that we use the vast majority of the time.⁹⁵ System 2 is the purposeful, intentional, and far slower mode that we use when we ‘stop to think’ about something. When experts develop a sense for things in their field they are developing system 1, particularly the pattern recognition aspects and associative memory. System 2 does much of the work in programming system 1, by making connections within one’s expanding knowledge base and making these available to the quicker associative memory in system 1. During one’s training the system 1 responses get inculcated by learning new material, techniques, etc. in system 2 to the point where they are internalized, or made readily available, to system 1.

The details of precisely how these systems work is an ongoing matter of research, but the basics just outlined are widely accepted. What follows from this is that experts develop a way of perceiving situations that is immediate and difficult to dislodge. This is where philosophical training and, in particular, a kind of training that takes cues from Aristotle’s call for emotions to ‘listen to reason’. Philosophers are trained to take other points of view seriously and charitably. Part of this training involves the inculcation of a sort of intellectual humility that can check one’s immediate judgments. Obviously, some philosophers are better equipped in this way

⁹⁵ See (Kahneman 2011 ch.2-5) for a more in depth summary of the two systems.

than others, but philosophers tend to display this sort of trait more than many other disciplines. In order for the group-expert to function, this ability to both recognize and temper one's immediate responses, judgments, and even deployment of their domain specific expertise.

4.3 Teleology, Structure, and the Work of Moral Theory

One of the benefits of embracing an ethical theory, in this case an Aristotelian approach, is that it offers an ethical framework that aids in defining key concepts and aids in the development of the group-expert's rational consistency. For instance, the goals of the group-expert are set by reference to the end, or *telos*, of the theory more generally. In this case, the end is *eudaimonia* for the individuals involved. This will need further refinement, as there are different ways of filling out the concept of *eudaimonia*, but that is precisely the work that moral theory ought to be doing to aid the efforts made by those in bioethics.⁹⁶

Another aspect of the Aristotelian model that aids in the work done by bioethicists is the emphasis it places on the relationship between ethics and politics. There are different takes on the details of the relationship, but the general point is that ethics and politics are distinct but not separate.⁹⁷ Judgments in ethics have ramifications for politics, and vice versa. If one determines that proper healthcare is critical for the flourishing of a person,

⁹⁶ This is work I intend to do in the future.

⁹⁷ See (Bodeus 1993), esp sections 4 and 6, for a useful introduction to this.

then the political structure of society ought to reflect to that. One of the more important functions of ethical and political theory is to provide a means and structure for the critiquing of society, as well as some indication of how flaws in the system are to remedied.

4.4 Parting Remarks

By taking a good look at what we know about expertise and experts themselves, along with what we expect from someone purporting to be a moral expert, we see that thinking that one person to could achieve it is a tall order. When we combine this with the specific requirements of a field like bioethics, the tall order becomes untenable. Training in any area that is subject to expertise changes the would-be expert in ways that make it highly unlikely, if not impossible, to be an expert in many different areas. For an interdisciplinary field like bioethics, this is an especially difficult problem.

Ethical features can be attached to any number of aspects of a situation, and this gets more complicated if the situation involves multiple types of problems. In bioethics, for instance, we find cases where there are difficult social, physical, political, legal, religious, and familial problems all wrapped up in one brain-splitting situation. It takes the knowledge and conceptual resources of an expert to dig through any one of these types of problems, let alone a situation where they are all present. The fact that experts in one domain are likely to blind to features of other domains

means that there are going to be ethical features of situations that will be missed or not properly appreciated.

This can be mitigated, if not eliminated, by moving moral expertise to the group level for domains like bioethics. Taking advantage of the expertise of a variety of practitioners organized using resources from moral theory and epistemology allows us to better parse the details of difficult cases while preserving sensitivity to the ethical features and implications that might otherwise be missed. The problems on this front grow as we increase specialization in medicine and other fields, and the need for investment in individuals that are trained to deal with the problems associated with multi-expert, interdisciplinary teams will grow in lockstep. What I have presented here is the groundwork for a research agenda that addresses multiple concerns within the domain of bioethics, as well as a few in philosophy. These are important issues that deserve the attention of experts, and experts deserve organizing frameworks that make their work as impactful as possible.

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