Some Practical Problems for Moral Experts
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I: Introduction

We begin with two assumptions. First, that there are identifiable moral experts from whom non-experts can solicit moral advice about various, domain specific questions. Second, that the role of moral expert is as advisor to the non-expert. I will show that this relationship between expert and non-expert is inherently problematic due to the inability of some non-experts to formulate precise or complete accounts of the situations for which they seek advice. The intended conclusion of this paper is therefore a negative one: I aim to undercut some of the perceived value we should assign to having moral experts of this sort available by calling into question their use as advisors.

II: Moral Experts

In order to be considered a moral expert, there are at least three necessary conditions that one must satisfy, though it is unclear if these are together sufficient (Cholbi 2007). Two of these conditions are indicative of expertise in general while the third is a special condition of moral expertise.

First, the moral expert must very reliably provide correct moral advice in at least one domain. This is a fairly straightforward criterion for expertise in any domain: a putative reasoning expert who routinely overlooked fallacies would be considered no expert at all. Second, the moral expert must be able to adequately justify the advice that she provides, that is, our trust in a putative expert’s advice must be warranted. Again, this applies to other domains of expertise as well: if the reasoning expert could not explain why a certain seemingly sound argument (or even an obviously bad one) was fallacious, then for all we know (since we are not reasoning experts) she could be mistaken. Last, the types of prescriptions that the moral expert gives as advice must have motivational efficacy for the expert herself. This condition sets moral expertise apart from expertise in other domains and is motivated by the commonly held view that, in the moral domain, there is the requirement that we treat like cases alike. It follows from this requirement that the reasoning that the moral expert appeals to in justifying her advice about how to act in situation S should also motivate her to act, and so act similarly, were she to find herself in S.

1 Special thanks are due to Justin Tiwald for a stimulating course and instructive comments on an earlier draft of this paper.
2 These are not trivial assumptions. About the first, Michael Cholbi has argued that, for principled reasons, a moral non-expert literally could not identify a moral expert were he to encounter one—this is what he calls the credentials problem (Cholbi 2007). Regrettably, I will not have the space to go into his arguments here but see the conclusion below for a brief tie in. Meanwhile, if the argument herein (as well as Cholbi’s) is taken seriously, then the second assumption will seem highly contentious.
Who are these moral experts? For the purposes of this argument, we will grant that whoever satisfies the three conditions specified above is a bona fide moral expert relative to some domain. In everyday life these might be our professors, our pastors, our parents or our local policemen. In fact, the average person probably knows several moral experts. Since it will be helpful later on, something should be said about the ways in which a moral expert comes to be an expert in the first place.

It seems that there are at least two plausible ways of describing the source of the moral expert’s expertise. One is particular experience in a specific domain or domains and the other is through careful study and reflection (of course, these are not mutually exclusive). In the first case, we might say that some person has more of a claim to expertise in some domain if that person has had a sufficient amount of experience in dealing with situations typical of the domain. For example, someone’s having spent several years as a domestic disputes counselor will generally count as good reason for considering that person an expert in issues of domestic unrest. This route to expertise has its own specific virtues, not least of which is the ability to ask the right sorts of questions, as we will see later. We will call this type of moral expert the experienced moral expert (EME).

In the second case, someone might count as a moral expert in virtue of a specific set of skills and abilities that they possess. Namely, following Peter Singer, the skills and abilities afforded to a moral philosopher on account of her profession (Singer 1972). Indeed, Singer presents a compelling case that clarity, competence in argumentation, a better than average understanding of moral concepts, and the ability to research and think full time on moral problems and argumentation, are important advantages that could allow one to develop greater moral expertise relative to those without them. Like the EME, this type of expertise has its own virtues. This expert, for instance, may enjoy a greater ability to move from domain to domain. We will call this type of expert the philosophical moral expert (PME). Turning now from the expert moralists, we will briefly characterize those that are in need of their services.

III: Moral Non-Experts and Moral Reports

Everyone fits the description of moral non-expert (MNE) relative to some domain and so understandably the concept will apply to various degrees, depending on the relevant individual/domain combination. In general, the MNE is perfectly capable of acting appropriately in everyday moral situations and, depending on particular circumstances, may never need the advice of the moral expert. However, there are situations (whether or not they are ever actualized) for which the MNE’s abilities as a moral agent will be inadequate, whether due to a lack of certain skills, the requisite experiences or both of these. Finally, the MNE’s ability to recognize features of moral situations is less than ideal, as is his ability to codify and articulate facts about those that he does recognize, at least sometimes.

For instance, while the average person is extremely capable of giving helpful advice about whether or not to shoplift a coveted object (in normal cases, of course), the same person might be much less capable at prescribing right action on extremely complicated matters, such as whether it is permissible to collect the tools of aboriginal peoples for display in museums. This deficit might arise from their having misguided
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intuitions about the moral status of carrying out such an act (such as not recognizing it as an ethical situation at all), from their inability to justify a correct intuition they do have or simply from the fact that they had never taken the time to give thought to this sort of situation. Now that we have a characterization of the MNE, in order to understand his problematic relationship with the moral expert we will need to introduce the moral report.

I will distinguish here between situations where we can show a problem and situations where we can only tell of a problem. Moral domains are of the latter type. For example, if I were in need of some expert advice regarding what to do about a strange noise that my car was making, it would be of greater benefit to my project to show my car’s engine to an expert mechanic than to tell him about the sound. Similar examples can be imagined for most any domain outside of specifically moral ones. What makes moral domains different? To start, salient features in moral domains aren’t visible to the naked eye, at least not like pistons and timing belts are. Instead, sets of morally salient features include things like: certain types of mental states, relationships, rights, claims, intentions, etc., which must be picked out with careful attention to subtle cues (in some cases). Moral features are unobvious.³ Further, morally loaded situations cannot be transported to experts for inspection, nor are they static enough to wait around for the experts to come to them (if one needs to know whether one is morally obligated to steer the trolley car onto the adjacent track, then presumably one needs to know as soon as possible). Moral situations are dynamic.⁴ Contrasting this with a car that has a cracked head gasket, which seems content to sit and wait for the experts to come to it or for someone to arrange for it to go to them.

Since moral situations are unobvious and dynamic, and since a moral expert cannot always accompany the MNE, in order to solicit advice about them they must first be reported to the moral expert. A moral report then, is just the description of some moral situation that a MNE provides to a moral expert when soliciting advice. We are now in a position to elucidate the problems.

IV: The Problems

³ That moral features are unobvious in this way may well be the cause of the problems introduced below.
⁴ Though I do not pursue it here, that some moral situations are dynamic might itself be grounds for calling into question the moral expert’s use as an advisor. The argument might go as follows:

There is a large class of moral situations that do not persist long enough for a MNE to seek expert advice about how to proceed. This class includes many situations that have the most severe and immediate consequences, e.g., which way to steer the trolley car. If the moral expert is not available to provide advice on situations with the most severe and immediate consequences, then the moral expert’s usefulness as an advisor is severely limited. Therefore, the moral expert’s usefulness as an advisor is severely limited.

Steps one and three seem to me to be fairly uncontroversial, especially if we are assuming an advice-giving model of the moral expert. The second step, however, is an empirical claim and as such may turn out to be false, though I am inclined to think that it won’t.
We can put the problems like this. Suppose that some MNE faces a morally loaded situation that he is ill equipped to handle on his own and so seeks out the advice of a moral expert. The morally salient features of this situation are X, Y and Z. Since the MNE is, by definition, not attentive to (all of) the salient moral features of at least some situations, he might only notice X and Z, not realizing that Y is salient (or noticing it at all). He may also codify the features he does observe incorrectly or misarticulate facts about them when making his report. By failing to notice the significance of Y, his moral report is doomed to be incomplete. By failing to correctly codify X and Z, or misarticulating facts about them, his moral report is going to be inaccurate.

It is important to note that those situations where the full set of salient features cannot be appreciated by the MNE are precisely the situations where the moral expert’s advice would do the most good, since these are the situations where the MNE is out of his league. If in fact the MNE is not able to attend to certain salient features of situations and that the possibility of moral advice requires at least mostly accurate reporting of situational features, then it follows that the project of seeking guidance is in dire straits: the moral expert, working with an incomplete and/or inaccurate depiction of a situation, cannot provide expert advice, that is, the advice that she would have provided knowing accurate facts about the full set of salient features. A concrete example will serve us well here.\(^5\)

George is a well-meaning, attentive person who is average both in his sensitivity to moral situations and in his willingness to act on his moral judgments. Recently, George was asked to fulfill some urgent duties for the Human Resources Director of his company, who was on vacation. George’s task was to choose the company’s next new hire from a pool of five candidates. Three of these candidates were Hispanic and the remaining two were, like George himself, Caucasian. As it happens, one of the Caucasian candidates, Smith, was more qualified for the position than the others and since the interview was conducted in a group, George was able to witness how the candidates interacted with each other. During the interview Smith demonstrated certain subtle behaviors towards the three Hispanic candidates that are characteristic behaviors of someone who is a racist. Smith’s behavior made the group interview uncomfortable for the Hispanic candidates and even for the other Caucasian candidate, though no one candidate spoke explicitly about what was troubling him.

For our purposes, there are three scenarios that might describe George’s reaction to these events. Each follows from our definition of the MNE, considered at various degrees of non-expertise. Here they are:

(i) George does not notice any particular features of his situation as demanding of further consideration, ethical or otherwise.

(ii) George does notice that some features of his situation seem to demand further consideration but only a subset of the features that a moral expert would consider the salient features. Note that this leaves open whether or not George notices these features as ethical features of the relevant kind.

\(^5\) This example is inspired by the one presented in (Jones 1999, 59-61).
(iii) George does notice that features of his situation seem to demand further ethical consideration of the right sort but, again, only notices a subset of the salient features.

We can reject (i) offhand and for two reasons. First, we stipulated that George is an attentive and normally sensitive moral agent and so we would expect him to at least notice that there was something going on during the interview. Second, if George were to completely miss out on all of the ethically salient features of his situation, he would never seek the advice of a moral expert and his case would thus be irrelevant to present purposes. With (i) out of the way, what more can we say about (ii) and (iii)?

Though reaction (ii) is of a less naïve MNE, things do get a bit more interesting. In this case George is sensitive to some of the salient features of his situation but is not sensitive to a fact about those features (the fact that Smith’s actions were due to his being a racist). This can cause George to incorrectly codify the features he did observe and so present a mistaken account of things when seeking advice. Response (iii) is from a still more advanced MNE. Here George is able to correctly codify the features of his situation but still lacks the ability to recognize the full set of those features. Thus, when George goes to his HR Director for advice about how to handle his situation, he may omit important details.

So, there are two separate problems here. One deals with the MNE incorrectly codifying or articulating facts about an incomplete set of features. We can shorthand this as the inaccurate report. The other has to do just with giving an incomplete account of features. We’ll call this the incomplete report. Can the moral expert deal with these problems?

V. Dealing with Inaccuracy and Incompleteness

Initially, these problems might not seem so worrisome, however, I think that they run deeper than might initially seem. Recalling the EME and PME descriptions above, we can ask how each of the two might handle the problem cases. Let’s begin with the EME.

The EME uses her experience in some domain to provide insight into problems that typically arise in that domain. Thus, with an inaccurate report like George’s response (ii) described above, the EME’s experience might prove useful in asking the right sorts of questions needed to clarify his report. For example, assuming George’s HR Director is sufficiently experienced in her role as a professional judge of character, she might have asked George certain types of questions, such as the obvious:

What sorts of things did Smith say or do just prior to everyone else’s feeling uneasy around him?\(^6\)

Depending on the answers provided by the MNE, this may lead to the EME’s realizing what was actually going on. Indeed it seems likely that this could be the case since the

\(^6\) It might seem like this question is asking too much of George since he was not attentive to the subtle cues indicative of Smith’s being a racist in (ii) but that would be confusing George’s noticing those subtle cues as possibly racist with his just noticing certain behaviors. An answer might be, e.g., “Smith had just spoken out of turn for the second time, cutting off one of the other candidates mid-sentence.”
EME has a good grasp of the problems typical of her domain. So, George’s HR Director might eventually come to realize that what George’s report was actually about was a racist candidate.

So it seems, then, that the EME’s experience could solve half of the problem that (ii) poses. The other half of the problem arises when the actual situation and the situation as portrayed in the report do not fall under the same domain of expertise. If, for instance, George had mistaken his dilemma as an economic problem (should he hire the most qualified candidate, and thus the one most valuable to the company’s bottom line, if that same employee ran the risk of ruining office cohesion and so posed a threat to the productivity of others in virtue of his social awkwardness), then he likely would have sought advice from someone who is better at dealing with risk assessment or cost-benefit analysis (or something). There would have been no discussion at all about the reason Smith made the others feel awkward and hence no discussion about the ethicality of hiring a racist employee. Basically, George might inadvertently depict the situation as one of an entirely different type than he should have: he may characterize a situation of type Q as one of type P. The advice that his HR Director will provide him here will no doubt be correct and useful but for dealing with the wrong problem. So, there are cases where the problem of an inaccurate report can cause the relationship between expert and MNE to fail in producing a satisfactory solution to some problematic situation.

The situation is also troubling in the case of (iii), the incomplete report. If George had gotten the sense, rightly, that Smith was making unfair assumptions or stereotyping the non-Caucasian applicants but failed to notice the specific details about his behavior, then his report would seem to be baseless. Again, however, the EME’s probing might uncover heretofore unnoticed connections between what George observed and his sense of the situation as a whole. She might, for instance, perceive that certain features of the situation would count as support for his intuition. Of course, George would have only a subset of the salient features to work with and so it is possible that he missed out on too many of what would have supported his intuition. In this case the moral expert would have to reject George’s correct assertion for lack of evidence. And, to top it off, even supposing that George’s story is supported enough to warrant the moral expert’s advice, there is no guaranteeing that her advice will be as she would have given it knowing the situation’s full set of features. If things are bad for an EME, they are worse for the PME.

As outlined above, the PME uses her superior philosophical skills and freedom to dedicate time and effort in research to come to moral prescriptions. Characterized in this way, the PME is likely not going to have experience in all of the domains that she advises on since she relies on research and logic in its stead. In this way the PME is worse off than the EME since she will have to take at face value the report given to her by the MNE before applying her special set of skills to it. This means that, unlike with the EME, when George seeks advice with his inaccurate report, the PME will not be able to probe him for a more accurate account of what went on. I do not see a way out of this for the PME and this might be due to the types of problems that the PME is equipped to deal with (global problems versus local problems). Furthermore, the PME is in exactly the same situation with regards to an inaccurate codification of a situation as the EME. If George seeks the PME’s counsel about whether to hire someone who is socially awkward or unlikable but well qualified, the PME is not qualified to question his report of the facts. How does the PME handle something like (iii)?
The answer is not very well. Since the PME uses her philosophical skills and abilities to arrive at moral prescriptions, starting with an accurate and complete account of the situation is paramount. In moral philosophy, where much theorizing is done on imaginary cases wherein details are stipulated (or omitted due to “irrelevance”), this fact can go unnoticed. In the real world, moral situations are unobvious and dynamic, but also messy, complex and may sometimes feature what seem prima facie to be irrelevant factors. If a MNE presents the PME with an incomplete set of features, the PME is out of her league from the get go. Sometimes, at least, a correct moral prescription can hinge on the one or another feature that happens to have been omitted from an incomplete report.

VI. Conclusion

Moral experts rely on the reports of moral non-experts about the situations for which they provide advice. These reports will sometimes be inaccurate or incomplete. This follows from the defining characteristics of the non-expert. Some experts, in the right circumstances, will be able to overcome a bad report. However, if the non-expert is wrongheaded enough, then there does not seem to be much hope at his finding the advice he needs. If these problems cannot be satisfactorily resolved, then the fairly straightforward notion of someone’s seeking advice proves to be more than just apparently problematic. If advice seeking is so problematic in important cases, then we should not emphasize the moral expert’s capacity to provide advice as much as we do. In combination with the equally negative conclusion that Michael Cholbi has drawn (Cholbi 2007) and the yet expounded argument from footnote 4, this seems to spell disaster for the advice-giving model of the moral expert. This is significant not least because the advice-giving model seems to be the standard model of moral expertise (the model is assumed, for instance, in Jones 1999).

REFERENCES