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Accounting for the Appeal to the Authority of Experts

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Abstract Work in Argumentation Studies (AS) and Studies in Expertise and Experience (SEE) has been proceeding on converging trajectories, moving from resistance to expert authority to a cautious acceptance of its legitimacy. The two projects are therefore also converging on the need to account for how, in the course of complex and confused civic deliberations, nonexpert citizens can figure out which statements from purported experts deserve their trust. Both projects recognize that nonexperts cannot assess expertise directly; instead, the nonexpert must judge whether to trust the expert. But how is this social judgment accomplished? A normative pragmatic approach from AS can complement and extend the work from SEE on this question, showing that the expert's putting forward of his view and "bonding" it with his reputation for expertise works to force or "blackmail" his audience of citizens into heeding what he says. Appeals to authority thus produce the visibility and accountability we want for expert views in civic deliberations.

Keywords Argumentation · Expertise · Authority · Appeal to authority · Deliberation · Normative pragmatics

My goal in this essay is to trace a convergence between scholarship in Argumentation Studies (AS) and in Studies in Expertise and Experience (SEE), and then to explore one way the two projects can complement and extend each other. I start by following the trajectories AS and SEE have taken from resistance to expert authority to a cautious acceptance of its legitimacy. Both AS and SEE thus find themselves confronting an important problem: to account for how, in the course

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of complex and confused civic deliberations, nonexpert citizens can possibly figure out which statements from purported experts deserve their trust. Adopting the normative pragmatic approach from within AS, I sketch one line of response to this problem. I show that the expert's putting forward of his view and his bonding of it with his reputation for expertise works to force or blackmail his audience of citizens into heeding what he says. Appeals to authority thus produce the visibility and accountability we want for expert views in civic deliberations. I close by welcoming the macrosociological work in SEE that provides an important counterpart to the microsociological account I have proposed.

1 First Convergence: Towards a Normative Theory of Expertise in Civic Deliberations

In the origin story narrated by Collins and Evans in their seminal essay "The Third Wave of Science Studies" (2002; see also 2003), SEE carries forward a tradition of scholarship that aims to resist the sometimes unquestioned power of scientists to frame and resolve policy issues involving science, technology, and their consequences—which nowadays may mean virtually all policy issues—in order to make room for engagement by wider publics. This tradition of work has taken a descriptive or even deconstructive approach, uncovering the ways some people manage to get themselves labeled experts and how they can then deploy those labels in courtrooms, regulatory processes and policy debates. While accepting the need for greater public involvement in many contemporary debates, SEE also questions if the movement has gone too far, for it would seem that

> we no longer understand how to balance science and technology against general opinion. In today's world the scales upon which science is weighed sometimes tip to the point where ordinary people are said to have a more profound grasp of technology than do scientists (Collins and Evans 2007, pp. 1–2).

SEE aims to go beyond the tradition, therefore, by attempting a reconstruction, developing a normative or prescriptive theory of expertise. Expert knowledge can be formally credentialed (like that possessed by scientists), or without official recognition (like that of sheep farmers); it can be and likely is the result of a contingent social process; but in any case, expert knowledge should still be granted respect when decisions are made on public issues. In sum, SEE holds that expertise is not only attributed or socially constructed; it is also real. Experts do know what they are talking about.

Suspicion of the power of experts, and a recent softening of that suspicion, has been characteristic in AS as well. Philosophers studying argumentation and critical thinking inherit a tradition of treating the appeal to authority as fallacious, a tradition which received perhaps its paradigmatic expression in John Locke's definition of the *argumentum ad verecundiam*. Locke notes that some people attempt to support their claims by putting forward "the Opinions of Men, whose Parts, Learning, Eminency, Power, or some other cause has gained a name, and

settled their Reputation in the common esteem with some kind of Authority." Anyone who fails to "yield to the Determination of approved Authors" and puts his "own Opinion…in the balance against that of some learned Doctor" is "apt to be censured" as "proud," "insolent" or "impudent." But, Locke continues, "it argues not another Man's Opinion to be right, because I out of respect, or any other consideration, but that of conviction, will not contradict him" (1975 [1690] §4.17.19). Leading argumentation scholars Ralph Johnson and Tony Blair echo this wisdom in their argumentation textbook when they stress that to be critical thinkers we must

> investigate and evaluate the claims we are invited to adopt on the say-so of others. People who decide for themselves what to think are regarded as more fully realized human beings than are people who accept unquestioningly what others say (1994, p. 167).

It is now widely recognized, however, that in its strict form, this position is untenable; as Johnson and Blair continue, the notion of an "autonomous, self-guiding, belief-scrutinizing individual as a person who sets off completely independently, an isolated rational agent" has to be a mistake. Quite the contrary, we are dependent on others for much of what we know, since we don't have the time to investigate everything for ourselves, and many things are accessible only through the testimony of others (see also Hardwig 1985). As documented by Walton (1997), philosophers have therefore shifted the appeal to authority out of the category of fallacy and accepted it instead as a potentially sound form of argument (see also Goldman 2001; Tindale 1999).

A parallel trajectory, finally, can be seen among rhetorical scholars who study argumentative communication in civic settings. The rhetorical tradition has always been friendly to the invocation of expert testimony, but has also wanted to protect deliberations among citizens from being displaced by arguments based in the sciences and other expert fields. In his classic essay on the "Personal, Technical and Public Spheres of Argument" (1982), Tom Goodnight warned that "issues of significant public consequence, what should present live possibilities for argumentation and public choice, disappear into the government technocracy. … Questions of public significance," he continued,

> become increasingly difficult to recognize, much less address, because of the intricate rules, procedures, and terminologies of the specialized forums. These complications of argument hardly invite the public to share actively the knowledge necessary for wise and timely decisions (p. 261).

The job for argumentation theorists, in this view, must be to help revitalize the public sphere by "uncover[ing] and critique[ing]" the restrictive technical practices and developing more inclusive alternatives. Although Goodnight's approach remains a significant tendency within rhetorical studies of argumentation, a few voices have always questioned the need to wall off technical arguments from the public sphere (e.g., Willard 1996). And recently rhetorical scholars have begun to express concerns about an opposite displacement: the way that political argument is invading the terrain of science. Studies of AIDS denialism in South Africa, the

Intelligent Design controversies in the US, and the global climate change debate have focused on the techniques arguers use to manufacture purported scientific controversies in the public sphere (Ceccarelli 2011; Paroske 2009). There is here at least a partial movement towards what has been called a restoration of science to its rightful place.

Both SEE and AS are thus converging on a willingness to view expertise as exerting a normatively appropriate force in policy deliberations, at least in some ways and on some occasions. Both scholarly projects therefore are faced with the problem of "find[ing] a clear rationale" for this force, one that both accounts for its normative appropriateness and also "show[s].… [its] limits" (Collins and Evans 2002, p. 237), defining those appropriate ways and occasions. This general problem leads to a second area of convergence for the two enterprises.

2 Second Convergence: How can Citizens Figure Out Whom to Trust?

When we recognize that experts know things that deserve to be heard, that appeals to expert authority aren't fallacies, and that contributions from experts have a place in the public sphere, we have to start asking the hard questions about how these projected interactions between experts and nonexperts are going to take place. In particular, how can some participants in a policy controversy who have no expertise in some domain ("ordinary citizens") assess the statements of others who claim to ("purported experts"), in order to figure out which if any of the statements deserve to be heeded?

It's worth pausing for a moment to remember just how puzzling this question is. SEE insists on the principle of "downward discrimination" (Collins and Evans 2007): that one person's expertise can only be assessed internally or directly by another who has more. In AS, Douglas Walton (1997; see also Woods and Walton 1974) has proposed a similar "inaccessibility thesis": that the expert's rationale for his opinion is in principle impossible to convey to the nonexpert, so only one expert can test another's knowledge. But if we adopt these principles, how is the less- or nonexpert supposed to judge? Walton draws our attention to the ancient version of this paradox offered by the philosopher Sextus Empiricus:

> Who is to be the judge of skill? Presumably, either the expert or the nonexpert. But it cannot be the nonexpert, for he does not know what constitutes skill (otherwise he would be an expert). Nor can it be the expert, because that would make him a party to the dispute, and hence untrustworthy to be a judge in his own case. Therefore, nobody can be the judge of skills (1997, p. xiii).

If indeed no lay person "can be the judge of skills," then while some statements from some purported experts might turn out to be more persuasive to citizens than others, their persuasiveness could not be tied back to citizens' assessment of the speaker's expertise.

If citizens cannot directly assess the expertise or knowledge state of the purported experts they encounter, what can they do? SEE has formulated an exceptionally clear general response to this question. Where direct assessment, internal to the

expertise, is impossible, citizens can proceed indirectly, assessing the external features or signs of expertise the purported experts display. In this way, citizens are able "to make judgments between knowledge-claims based on something other than their scientific knowledge," namely their "social knowledge" (Collins and Evans 2002, p. 258). Such assessments do "not depend on the understanding of the *expertise* being judged but upon an understanding of the *experts*" (Collins and Evans 2007, p. 51). This means that citizens' knowledge of how to assess other social actors is being "transmuted" into technical knowledge.[1] More straightforwardly, citizens are "making *social* judgments about who ought to be agreed with, not *scientific* judgments about what ought to be believed" (Collins and Evans 2007, pp. 47–48)—a phrasing echoed in AS (Goodwin 2010b; Goodwin and Dahlstrom 2011) and studies of risk communication (Priest, Bonfadelli and Rusanen 2003) in an emphasis on *whom*, not *what*, to trust.[2]

Studies in expertise and experience asserts that the social knowledge nonexperts need to assess experts is "ubiquitous," one of the ordinary "abilities that people acquire as they learn to navigate their way through life" (Collins and Evans 2007, p. 16). This assertion seems supported by the fact that diverse discipline have put forward largely similar lists of the criteria citizens can rely on when assessing purported experts (Kutrovátz 2010). In particular, both SEE and AS scholars appear to be giving voice to the tacit common knowledge that they possess by virtue of being good discriminators (or good arguers) themselves. SEE stresses the importance of documenting the purported expert's experiences, but also checking the internal consistency of his statements, their external consistency with evidence, their "scientificness," and even the trustworthiness of his demeanor (see Collins and Weinel., this volume). Work in AS (e.g., as in Wagemans' and Zenker's contributions to this volume) and argumentation textbooks (e.g., as reviewed by Walton 1997) advise citizens to examine a purported expert's experience, education, opportunities to become familiar with a particular topic, credentials, peer recognition, track record, lack of bias or interest, internal consistency of judgments, as well as recency, consistency with other experts (or consensus), and consistency with other evidence. It's worth noting that almost all these criteria are indeed external. The citizen can check the purported expert's CV for credentials, look up his prior statements on the web, find out what other purported experts say about him, and so on—all without ever attempting to test what the expert actually knows.

I have been asking how citizens can assess the statements of purported experts. Articulating these criteria does serve to give some explicit shape to the ordinarily tacit practical knowledge or meta-expertise citizens are using. But as usual with explicitizations of tacit knowledge, these criteria are not enough; in simply listing them, neither SEE nor AS has provided a full account of how they are to be applied in practice, especially within the complex and vexed situation of a policy controversy, in order to give expertise its legitimate force. Figuring out whom to

[1] To AS, this sounds odd. We might want to translate it as "social knowledge can justify, or warrant acceptance of, a technical conclusion."

[2] I have also tried to frame the distinction between technical/internal and social/external grounds for assessment as one between "epistemic" and "pragmatic" justifications for knowledge (Goodwin 2010a); my peers have found this attempt unpersuasive, however.

trust cannot be a matter of simply adding up the factors. Indeed, the difficulty of the task is suggested by the fact that contemporary democracies have developed a variety of institutions which help citizens make the necessary judgments. Boundary organizations (e.g., Guston 1999) mediating between citizens (or policy-makers) and experts can help reduce the challenges of discrimination by making it a problem of local discrimination, solvable based in part on trust achieved in prior interactions. The increasing division of intellectual labor and the expansion of higher education can ensure that citizens gain the experiences in one field that can give them a referred expertise (Collins and Evans 2007) useful to assess results in another (roughly the solution proposed by Willard 1996). Professional meta-experts—such as scholars of SEE and AS—can do the background research and detailed analysis necessary to confirm that a purported expert has the relevant experience that would justify acknowledging his statements' force (e.g., Weinel 2007; Collins and Weinel in this volume). Indeed, the entire system of credentialing experts may be seen as a way of using third party guarantors to reduce the burden of judgment citizens otherwise need to bear (Goodwin 2010b; Shapiro 1987).

Unfortunately, I want to suggest, these institutional mechanisms relieve, but do not fully resolve, the challenge of accounting for how citizens can assess purported expert statements in order to grant them their legitimate force. Consider the situation represented in Fig. 1; a worst case scenario that is an ordinary instance of civic deliberations. A variety of purported experts are vying for public regard. No boundary organization intervenes between them and the citizenry; the friendly meta-expert off to the side would like to help, but is on the cell phone handling another epistemic emergency.[3] The experts and citizens are supposed to go into the central black box and engage in a set of discursive activities known as "deliberation"—activities which, among other things, somehow enable the citizens to apply the factor lists noted above. In the Habermasian ideal, the main outcome of these activities is a consensus among experts and citizens about what to do, or at least increased mutual understanding. Whether those outcomes are possible or even desirable is itself a question; SEE provides us with a more minimalist and plausible conception. Upon exiting the black box, the citizens should acknowledge the legitimate force of expertise, which has been made "as visible as possible" (Collins et al. 2010, p. 195). The experts, for their part, should have been "made more accountable and responsive to the wider society" (Evans and Plows 2007, p. 834, et passim).

This, then, is a second area of convergence for SEE and AS. Both projects are faced with the problem of giving an account of how visibility and accountability emerge from citizens applying the criteria for discriminating experts in the midst of the messy activities of civic deliberations.

[3] Need I also point out that the speed of the meta-expert's analysis is likely to be slower than the speed of politics, and that from the citizens' point of view, the friendly meta-expert is yet another apparent egghead demanding their regard?

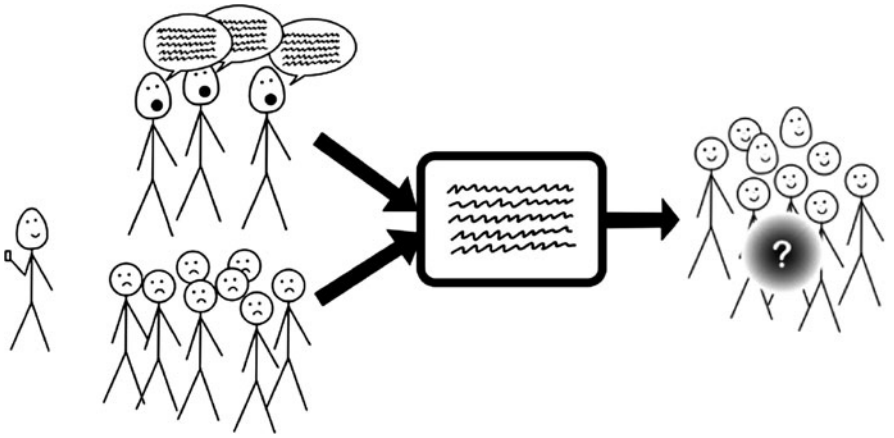

Fig. 1 The worst case scenario: ordinary civic deliberations

3 A Normative Pragmatic Account of the Appeal to Expert Authority

SEE has helped bring into focus a problem it shares with AS. In the following, I want to sketch how a normative pragmatic approach to AS addresses this problem. Those of us adopting the normative pragmatic approach share an interest in how arguers bring the norms of deliberation to bear in particular circumstance, creating the conditions under which (e.g.,) "*warranted* assent, *reasoned* adherence, *voluntary* and *informed* acceptance" can be realized (Jacobs 2000, p. 264; see also Goodwin 2000). Our program encourages argumentation theorists to consider how a speaker can so design his discourse to create the conditions for its optimal reception, even under conditions of deep disagreement. Normative pragmatic studies have examined practical strategies for managing the local normative terrain by undertaking and imposing obligations regulating the ongoing interaction (Kauffeld 1998, 2002; Innocenti forthcoming); appropriate and inappropriate tactics for responding to bad behavior by other arguers (Jackson 2008); the design of deliberative fora for managing disagreements (Jackson 1998); and in general, how the force of the better argument is an achievement of the participants (Goodwin 2007). As the label "normative pragmatics" indicates, we are interested in accounting for how the discourse of deliberation can be both *effective* and *good*.

A normative pragmatic approach to opening the black box of deliberation between experts and citizens thus stresses the active work of communication. Instead of focusing on the factors a citizen can use to assess an expert in a given context, the attention is on practical methods for reconstructing the context in order to make expertise more assessable. Appropriate communication can put citizens in a position to exercise well their metaexpertise; it can enable citizens' social judgments while at the same time (as we will see) constraining the experts.

The account of expert/citizen communication starts by acknowledging the general (if ambiguous) norm: it is imprudent for the nonexpert to go against the expert view (Goodwin 1998). When a local tells a tourist that a road is dangerous, or

a doctor advises a patient that smoking is harmful to her health, or a climate scientist tells the rest of us that the world is warming because of our activities, then the tourist or patient or we would be dumb keep going along regardless. "Only the fool would not want some expert advice in technical matters" (Fischer 2009, p. 139); "other things being equal, we ought to prefer the judgments of those who 'know what they are talking about'" (Collins and Evans 2007, p. 2).

We want to account for how citizens manage to live up to this general norm, e.g., by discriminating among purported experts. As a first step, it is worth noting that it is not only citizens who face this challenge; the experts also have an interest in making sure the norm finds traction in the complex circumstances of civic deliberations. Anyone who wants to contribute the results of his experience to his fellow citizens has to help them assess (i.e., discriminate) him. Taking the point of view of the expert, then, let us ask what he needs to say in order to justify his fellow citizens' regard for his expertise; or more bluntly, how he can assert his authority as an expert.[4]

The basic logic of the appeal to authority is clear: "believe this," someone says, "because I say so" (Goodwin 1998). To actualize such an appeal, the expert must therefore make apparent to his audience of citizens *who* he is, and *that* he says so. The first task requires the expert to show that he is indeed an expert by offering his audience suitable tokens of expertise. This means that it is up to him to make available the sort of signs that citizens can use to assess him: experiences, credentials, education, recognition and so on. The second task requires the expert to explicitly state his view as an expert on some matter of concern to his fellow citizens.

From the point of view of the citizen, the expert's display of expertise and open expression of opinion has a sort of blackmail effect. The appeal to authority has created conditions under which the citizen is now going to look conspicuously imprudent, foolish, rash, like a nut-case, etc. if he openly speaks against what the expert has said. The appeal has thus reduced the citizen's discursive wiggle room—one reason we don't always appreciate authority. But the citizen is not the only one affected by the appeal. By openly stating his view, the expert has committed himself to it (see similarly Gelfert, this volume). This means his wiggle room has also been reduced. If it turns out that his opinion was wrong, he has limited his ability to excuse his mistake. Having made the appeal, he is now less able to say things like "I didn't know…I didn't consider…I was just speaking offhand."

In fact, something stronger can be said. In openly stating his view, the expert has not only committed himself to it; he has committed himself to it as an expert. He has given all the various signs of expertise to his fellow citizens as a sort of bond backing his views. If it turns out that his opinion was wrong, he has put himself in a position to lose those signs—essentially, to be de-recognized as an expert, to have expertise un-attributed. The fact that the purported expert is willing to post this bond gives his audience of citizens an additional ground to credit what he says. They can reason that he would be unlikely to risk loss of his expert status unless he was very

[4] Put yet another way: we need to ask, insistently, "How do scientists communicate with an untrained public?" (Collins and Evans 2003, p. 446).

confident of his view. They can therefore presume that what he's telling them really is his best judgment, based on his experience.

In sum, the appeal to expert authority is a blackmail and bond transaction (Goodwin 2001) that brings the background norm of respect for expertise to bear in a particular situation. The appeal gives citizens some means to assess the expert and some reason to trust what he says; it also forces them to heed his views. The appeal also requires the expert to take responsibility for his view, putting himself in a position to be held accountable if he turns out to be wrong. In other words, the appeal to expert authority creates the *visibility* and *accountability* that we were looking for as the output of the deliberation black box.

Let me suggest some of the consequences of this account of expert authority in civic deliberations. Wynne (2003) has criticized SEE for focusing too much on "propositional" aspects of deliberations among experts and citizens. By contrast, on the account I am giving here, "propositionality" should be considered one of the most significant and valuable achievements of deliberative discourse. Advocates in general have an interest in evading responsibility and maintaining plausible deniability by limiting their commitments to explicit propositions. But partially articulated and perhaps only partially understood viewpoints and arguments can hide areas of disagreement and agreement, argumentative weaknesses and strengths, biases and insights. To make deliberation work, participants need methods for forcing each other to make their reasoning explicit. Such explicitness is a necessary aspect of an appeal to authority. The expert is able to exert force on others only at the price of making at least partially visible ("propositionalizing") his previously unexpressed and possibly tacit understandings.

The appeal to authority also requires the expert to take responsibility for what he says—another significant and valuable achievement of deliberative discourse. Colingridge and Reeve (1986) have argued that the talk internal to science is cheap; to encourage conjecture, the costs of being wrong are kept low. In other words, the expert addressing other experts can speak irresponsibly. Not so when addressing nonexperts; on the account I am giving here, the force of an appeal to authority is dependent on the risk the expert takes in making it. An expert who risks nothing—who offers no bond—does not give his audience reason to trust what he says. Echoing Evans and Plows (2007), injecting "the disinterested citizen" into the interaction thus creates the "value" of responsibility. This responsibility also means that the authority of experts will often be self-limiting. In the face of the risk, it is likely that the expert is going to be cautious about exerting his authority, or possibly even deterred entirely. If so, then among the central challenges in the contemporary relationship between science and society may be not only preventing incipient technocracy, but also getting our very expensive experts out of their labs and into public life.

Finally, in the account I am giving here, the appeal to authority creates conditions under which the audience can reason, "the expert would not risk his reputation for expertise unless he was confident; therefore I can trust what he says." This sort of "he would not risk…so I can trust" reasoning is widespread in other situations where people are trying to communicate in the face of information asymmetries. When a used car salesman offers a warranty, the knowledge that he would not risk

the expense of repairs gives the buyer a reason to trust his assertions about the car's quality. When a witness comes forward, the knowledge that she would not risk the grief of being cross-examined gives the jury a reason to trust her testimony. Indeed, the basis for believing what anyone says is that they would not risk the resentment that they would incur if it turned out that what they were saying was manifestly wrong (Kauffeld 2009). This account of the appeal to authority thus gives further support to SEE's postulate that our ability to assess experts (external discrimination) is indeed ubiquitous, not different in kind from our ability to assess the trustworthiness of "politicians, salespersons, … strangers" (Collins and Evans 2007, p. 45) and "plumbers" (Collins and Pinch 1998, p. 143).

To prevent confusion, let me also note what I am *not* saying. An account of authority does not imply an endorsement of authoritarianism. The expert's appeal forces citizens to heed what he says. This is an important, but quite limited, effect. Heeding experts in public is not incompatible with ignoring them behind the scenes, even as a pull of the forelock to the gentleman in the morning was not incompatible with poaching the gentleman's deer at midnight.[5] In some circumstances, expert views may even be put aside entirely; as we might say, *fiat justitiam, ruat caelum*—"let justice be done, though the heavens fall." Finally, heeding experts still leaves citizens in the black box of deliberation the task of combining what *this* expert said with what *that* expert said, and with all the other reasons that need to be considered when making policy decisions—what has in AS been called the problem of conductive argument (Govier 2010).

The schematic account of appeals to expert authority which I have offered obviously needs to be amplified by case studies of how the appeal is realized well or ill in particular circumstances. In other work, for example, I am exploring how experts associated with the first International Panel on Climate Changed attempted to strengthen their appeal to authority by claiming that the IPCC report expressed a "consensus" view of all the relevant scientists (Goodwin 2009, also discussed in Rehg, this volume). This claim served to strengthen the force of their appeal, since it further reduced the wiggle room of citizens and policymakers. In claiming a consensus, however, the experts committed themselves to the truth of that claim, and thus legitimated a now 20-year long debate over how to count scientists. Similarly, in work with Michael Dahlstrom (2011) I have explored some of the methods climate scientists can use to strengthen their appeals by increasing the risks they are undertaking in offering their views.

4 On to a Third Convergence!

I can therefore close with the required call, that more research is needed—especially across disciplinary lines. The normative pragmatic approach from AS I have adopted above goes some way towards filling in a microsociological account of the force and limits of the authority of expertise as it is exercised in the context of civic

[5] In fact, we might expect that a society which paid great public respect to experts would also invest great craft and cunning into the art of evading their advice.

deliberations. This account, I believe, complements and extends the insights provided by SEE. SEE, in turn, can provide a more macrosociological approach to the forms of social life that make both expertise and its assertion possible. I would look to scholars in SEE, for example, to explore the question of how the deliberations between experts and citizens can best be institutionalized. The legitimate authority of the authority of experts rests on citizens' ability to hold experts to account if things go wrong, in particular by revoking their expert status. Studies from SEE of the practices of *un*-attribution of expertise would complement and extend the work in AS I have presented here.

And this leads to the promise of a third convergence. AS and SEE are both "Studies"—that is, sociologically speaking, gathering points for those who feel that their subjects ("expertise and experience" and "argumentation") are not receiving adequate respect within their disciplinary homes. It would be wise for such groups of possible misfits to welcome incursions of strangers into their midst. I therefore feel justified in hoping that the interchange generously opened by the editors of this special issue will continue, and that philosophically oriented social scientists and social scientifically oriented philosophers (and rhetoricians) can undertake the intellectual and practical work of accounting for the authority of experts in civic deliberations.

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