

Chapter 9

The Philosopher as Coach¹

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Philosophers are regularly called upon to assist in deliberation about ethical matters. Committees are established at the European Union (EU) level, as well as by domestic governments and at the institutional level, to address sensitive issues in medicine, research, and other policy areas. Such committees are often designed to include an ethics expert, or an ethics consultant, on the assumption that philosophers have something to offer. But, what is it that philosophers can offer such committees?

To be sure, ethics consultancy is nothing new: The very first ethics consultants may have been the sophists of ancient Greece. However, from Socrates onwards, philosophers have also reflected on the moral appropriateness of offering their services to governments and individuals in power. Socrates denounced the sophists roundly: No one should make a living by selling arguments as tools of manipulation. Recent critics voice more modest concerns:

Philosophy is most true to itself as a critical rather than as an immediate constructive force and as a discipline based in the academy rather than mired in the political fray. (Weisbard, 1987, p. 783)

What is called for is the exercise of philosophical talents in the service of alternative ways of influencing public policy, outside of establishment-organized, officially sanctioned bodies that can do little—and usually intend even less—to change the status quo. (Momeyer, 1990, p. 402)

Undoubtedly, the philosopher can serve a valuable role as outside critic. The plight of Socrates, and more recently the tragic slaying of Ignacio Ellacuria, Francisco Peccorini Letona, and other philosophers and theologians in El

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Salvador and Guatemala, remind us that “the persecution visited upon them is a strange testimony to their influence” (Camacho, 1993).

But, can philosophers also serve a legitimate role as counsels of morality and reasoning *within* institutions, as “inside” consultants to committees? I argue that such services are consistent with the doing of philosophy, and consistent with other philosophers serving honorably and credibly as social critics. This chapter proceeds in three steps. I first identify the subject matter of this exploration: philosophers as consultants to committees, as contrasted with their role as members of committees or as consultants to individuals. I then present an account of philosophers’ expertise—the special competence they provide—and compare it to some alternative accounts. I defend an account of the philosopher coaching the committee toward reflective equilibrium of their considered judgments on the issue at hand. In light of this conception of the role of philosopher-consultants, I discuss some of their obligations.

My concern is with philosophers engaged as consultants to committees, working groups, and commissions on moral matters. Committees often have, and should have, expectations about the services provided by philosophers. However, these expectations should be accurate, and they are too important to leave to the committees themselves (Crosthwaite, 1995, p. 369). Hence, we seek a public account of the role and responsibilities of philosophers serving as consultants. The assumption of publicity is important for the practice, making future committees aware of the professed expertise, function, and responsibilities of the philosopher.

Several points of clarification are appropriate. I shall use the term “philosophers” broadly, to include those who claim to be philosophers, often with training from a philosophy department or its equivalent, but they need not be philosophers based in the academy. The committee, working group, or commission—“committee” for short—has a mandate of some practical importance, for example, in assessing or recommending institutions or policies. However, it has no formal political power on its own.

The role of such committees within democratic decision making is not merely to aggregate votes, but to provide somewhat better opportunities for reasoning than allowed by the flurry of day-to-day party politics (Kamm, 1990, p. 351). The committee, thus, offers room for practical, public deliberation on issues, therefore, determining what it regards as best reasons. We may expect discussions and reflection to be somewhat more complex in committee discussions than in the general public debate, though there are still constraints on complexity due to the public nature of the tasks. Even though the composition of the committee often reflects various constituencies, committee members are usually not required to act as representatives of such groups. The philosopher-consultants do not serve as full members of the committee. Instead, they contribute their expertise at the request of the committee.

What Is a Philosopher Good For?

What is the contribution of philosophers as consultants to a committee? This question is fundamental for delineating the mutual expectations and responsibilities of the committee and the philosopher. What special qualifications do philosophers have that render their services useful for a committee—and ultimately for society at large? In her book *The elimination of morality*, Ann Maclean put the challenge succinctly: “How does an education in *philosophy* make one better at answering moral questions than someone who lacks such an education?” (Maclean, 1993, p. 3).

I shall suggest that philosophers’ training makes them skilled at moral reasoning. They can coach a committee, helping to clarify and improve its moral reasoning. The philosopher is trained in arguing ethical values, seeking to increase coherence and system to the various moral concerns voiced in the committee. To further this goal, the philosopher offers distinctions, interpretations, and relationships between various judgments so that they appear as defensible premises and conclusions as parts of a theory. But, first consider competing accounts of what philosophers may contribute.

Further the Good Society?

We may assume that committees are intended to promote important values in a democracy, and that the philosopher takes on some responsibilities within such a valuable social scheme. If this is not true, we should indeed be worried (Kamm, 1990, p. 354). But, what is the philosopher’s unique contribution?

Surely, the philosophers’ special strength is not that they make the world a better place. Graduate schools in philosophy do not exclude applicants on the basis of their moral commitments, and philosophers’ training is not in exhortation or aimed directly at the moral improvement of themselves or others. They are not trained to maximize well-being in the world. Moreover, there is no reason to believe that ordinary members of an appointed committee are less honorably motivated, or less equipped to pursue the common good as they see fit.

Provide Touchstones of Truth?

One response might be that philosophers provide commissions with the truth on moral matters. That is, the professional philosopher provides the correct moral theory, either by offering a blueprint of how the world should look, or by offering the correct fundamental principles of morality, whence all moral truth flows.

Philosophers have spent much time reflecting on the good life and the just society, and they might, therefore, be expected to hold more well-thought-out and systematic views than others (Singer, 1972, p. 117). However, these views

will certainly be contested and controversial—just as are most other such views in a democracy. Should consultants be permitted—and requested—to pursue their own particular and contested values when serving a committee?

Such claims often meet with suspicion. If moral philosophy yields truth, why aren't all moral philosophers nice people? More to the point, this view is at odds with philosophers' practice: There is profound and prevalent disagreement among philosophers precisely about what morality requires. So, there is no unique philosophical view of right action or the good society that the philosopher brings to bear.

Will Kymlicka, for instance, has suggested that the goal of arriving at the true ethical theory may be inconsistent with the democratic mandate of a committee; the members of a committee will—and should—disagree:

The fact that Commissioners disagree is not just an unlucky accident. Citizens generally have different views on these issues, and Commissioners are chosen to represent different viewpoints. Hence they are supposed to come up with recommendations that, so far as possible, are acceptable to a variety of ethical perspectives. Government Commissions are instruments within the system of representative democracy. Like elected representatives in parliament, Commissions are intended to be representative of the general community (...) increased room for persuasion and flexibility cannot, and is not intended to, displace the need for recommendations that are acceptable to a wide range of viewpoints. The adoption of a particular ethical theory, therefore, is not only unrealistic, it defeats the purpose of the Commission. (Kymlicka, 1993, p. 8)

Kymlicka's conclusions may be correct, but the argument is flawed. The goal of arriving at one shared theory of morality does not violate the democratic mandate of a committee for three reasons.

- When committees are directly charged by politicians with making decisions, democratic accountability is not lost. Democracy is not more at stake if the committee reaches a unanimous decision by convincing all representatives, than if it decides by majority vote or by the Chair's dictum. The function of representatives of different constituents is to voice reasoned concerns, rather than to represent constituents in decision making. There is, for instance, often no attempt at providing proportional representation of different groups in such committees.
- Groups within democracies often disagree strongly, but such disagreements do not always rest on different moral theories.
- Several philosophical theories are explicitly constructed as responses to a pluralism of competing, yet not unreasonable moral views. They may provide views on what social institutions should allow and prohibit, which are more acceptable than more controversial moral views.

However, there are more troubling objections to the view that philosophy provides truth. Ann Maclean rejects a particular version of "pure" utilitarianism, which she holds to be typical of modern bioethics—at least in the United King-

dom. She argues, convincingly, that this particular kind of moral theory is implausible, since it holds that:

(...) it is *philosophical* enquiry which must provide, sanction or underwrite the set of rational principles from which moral judgments should be deduced. The source of the philosopher's special expertise in moral matters is his knowledge of these principles; it is this which gives his pronouncements upon moral issues an authority to which the pronouncements of others can lay no claim. (Maclean, 1993, p. 5)

This pure theory of morality is *foundational* in the following sense. It seeks to justify moral judgments on particular cases by deduction from a more general moral principle—in this case the principle of utility—whence moral authority flows. This principle needs no further justification and overrides competing moral intuitions on individual cases. The role of moral philosophers is to establish the deductive connections between particular cases, mid-level principles, and the foundational principle of utility.

Maclean criticizes this account of moral knowledge. She also notes that philosophers cannot know, with certainty, what is “implicitly” meant by “the value of life,” or about what a decision “implies” (p. 32). Rational verdicts based on such principles are still the philosophers’ own moral opinions (p. 189).

Let us agree with Maclean that the moral expertise of philosophical training does not consist in knowledge of the correct moral principles. However, the title of Maclean’s book, *The elimination of morality*, misleads: She has not argued convincingly for the elimination of morality, nor against the existence of moral expertise. Her criticism of moral theories in general (and that of van Willigenburg, 1991, pp. 186–191) fail for several reasons. First, there are more plausible versions of utilitarianism than the one she criticizes; second, many bioethicists—and other ethicists—are not utilitarians; and third, Maclean fallaciously assumes that utilitarians must accept Mill’s account of the role of moral theory (Maclean, 1993, p. 10). There are more plausible accounts of justification in ethics, consistent with a wide range of moral theories, utilitarian and otherwise. Eliminating this form of utilitarianism eliminates neither claims to moral expertise, utilitarianism, bioethics, nor morality. Major traditions in moral philosophy, including Aristotelian and contractualist theories, stand wrongly accused.

Philosophers are not particularly well prepared to promote the good directly, and they cannot claim to know moral truths. The philosophers’ training helps identify the form of “moral expertise” they can contribute.

Foster Coherence of Moral Views in Reflective Equilibrium?

Moral philosophers are typically trained both in the history of philosophy and in argumentative skills. They provide and assess arguments and objections and detect inconsistencies in arguments and among moral judgments.

Rorty criticizes today's professional philosophers for a cynical view of philosophy's past, "treating the great dead philosopher as sources of hypotheses or instructive examples of conceptual confusion" (Rorty, 1982, p. 65). I suggest, contrary to Rorty, that the skilled philosopher also turns to earlier writers for insights, ideals, and distinctions that are valuable for the issues at hand—based on charitable interpretations of past thinkers.

Philosophy, thus, draws on the past for creative insights and perspectives, in order to make sense of our own moral views. Philosophy is concerned with creating connection and order, and adjusting moral judgments into a coherent framework of premises and conclusions—that is, a theory. One important role of such a theory is to provide unity, coherence, and understanding among our conflicting judgments, as an aid to reach reasoned agreement on common ground. Increased coherence and consistency among moral intuitions is one of the main contributions of moral philosophy. Philosophers take part in theory construction, for instance, by showing how "mid-level principles" of autonomy and beneficence can be spelled out to be rendered consistent with each other and with the concern for persons and, thereby, be justifiable, and how we may conceive, and deal with, remaining disagreements in defensible ways.

The philosopher, thus, contributes to the process of gaining "reflective equilibrium" among our moral judgments, among principles, ideals, and moral judgments on particular cases. This method seeks to establish a consistent web of moral judgments in a particular field, often with the practical aim of throwing more light on questions we as yet have not passed judgments on, or where we are in disagreement with each other and where such disagreements matter.

It is an equilibrium because at last our principles and judgments coincide; and it is reflective since we know to what principles our judgment conform and the premises of their derivation. (Rawls, 1971, p. 20)

This task is not to generate principles by deriving them from higher, more general premises: Neither confidence nor justification must trickle down from above (Kymlicka, 1993, p. 13; Williams, 1985). Rather: "Justification is a matter of mutual support of many considerations, of everything fitting together into one coherent view." (Rawls, 1971, p. 579)

For a committee faced with resolving a practical issue, increased reflective equilibrium may not require complete agreement on all points, but rather sufficient, overlapping consensus to secure common ground regarding the particular issue. Sometimes, complete agreement on the premises for our various views may be unfeasible and unnecessary. Describing the discussion prior to the 1948 UN *Declaration on Human Rights*, Maritain noted that:

Where it is a question of rational interpretation and justification of speculation or theory, the problem of human rights involves the whole structure of moral and metaphysical (or anti-metaphysical) convictions held by each of us. So long as minds are not united in faith or philosophy, there will be mutual conflicts between interpretations and justifications. In the field of practi-

cal conclusions, on the other hand, agreement on a joint declaration is possible, given an approach pragmatic rather than theoretical, and cooperation in the comparison, recasting and fixing of formulae, to make them acceptable to both parties as points of convergence in practice, however opposed the theoretical viewpoints.

(...) It is not reasonably possible to hope for more than the convergence in practice in the enumeration of articles jointly agreed. The reconciling of theories and a philosophic synthesis in the true sense are only conceivable after an immense amount of investigation and elucidation of fundamentals, requiring a high degree of insight, a new systematization and authoritative correction of a number of errors and confusions of thought (...). (Maritain, 1949, p. 11f.)

The Philosopher as a Moral Coach

How does moral reasoning proceed toward reflective equilibrium? We start with our moral views and commitments at various levels of generality—including such general and vague ideals as freedom, equality, equal worth, and solidarity. We seek conclusions to our puzzles by hitherto unnoticed arguments, adjusting the moral judgments as we go, in light of these new connections. But, more needs to be said to illustrate this process.

Moral reasoning has both a constructive and a negative role, both of which are required in order to identify the philosopher's contribution. The negative role is the modest one of ensuring consistency:

Moral philosophers should attempt to ensure that the Commission's arguments are clear and consistent. (...) philosophers should focus on identifying conceptual confusions or logical inconsistencies within the Commission's arguments, without seeking to influence its choice of the underlying theory. (Kymlicka, 1993, p. 2)

Philosophers serve as argument inspectors, checking arguments for soundness—or at least validity, that is, that the arguments are logically correct, though not necessarily with true premises. Kymlicka claims that this is too modest a contribution, since valid arguments may be morally unsatisfactory. However, assisting in argument improvement will often serve to weed out some—though not all—outrageous immoral views.

Moral reasoning also has a positive, creative role, stemming partly from the philosopher's familiarity with the history of moral philosophy—of Kantian, utilitarian, and Aristotelian views and their heirs.

But, what is the use of moral philosophy for analyzing public policy? It is unrealistic to expect a committee to endure a graduate seminar on the various theories, and this aspiration is inappropriate: The focus on theories is not likely to foster agreement on the issues, for two reasons, states Kymlicka: (1) Knowledge

of the theories will be insufficient. No particular theory—utilitarianism or contractarianism—will answer the practical questions; each theory “just provides a framework within which to ask them” (Kymlicka, 1993, p. 8); (2) “The fact that these theories have maintained adherents for centuries suggests that they are not obviously illogical.” (p. 6) Hence, a theoretical concern will not resolve the disagreements.

However, Kymlicka’s objections do not support the hypothesis that information on moral theories is of no help. First, on many practical issues, *all* moral theories, currently entertained, may yield the same or similar answers, or provide similar frameworks. *Any* moral theory will seek to identify affected parties, for instance, while many unreflective views typically ignore certain unintended effects. So, where there is no framework, any normative framework is an improvement—even though philosophers do not agree on the precise content of the preferred comprehensive moral theory. Second, the substantive discussions and disagreements among theories have actually changed over time, partly due to improved arguments and theories. Consider, for instance, views condoning slavery, or the subjection of women.

This account of moral reasoning is, generally, in accordance with Maclean’s own view. The philosopher’s role is to provide clarification, helping people decide what answers to the moral questions they themselves are prepared to accept (Maclean, 1993, p. 202f.). However, Maclean denies that there is only one unique, rational answer to moral issues: There is always more than one such answer. I submit, however, that some positions on a particular issue will be ruled out once we try to connect them to other moral judgments—consider, for instance, whether to conduct harmful experiments on prisoners in concentration camps.

The view I have presented may seem to conflict with Kymlicka’s account (Kymlicka, 1993, pp. 11–13). Denying that “taking morality seriously requires taking moral philosophy seriously,” he claims that what matters, instead, is to take people seriously, in two distinctly nonphilosophical ways: (1) to identify affected parties; (2) to identify “mid-level” principles, for example, of requiring informed consent, respect for human life, and equality, that “are consistent with, and indeed help spell out, the belief that each person matters in and of herself” (Kymlicka, 1993, p. 13).

These two tasks are indeed important, and what is needed is often compassion and forethought (Momeyer, 1990, p. 404). But, I submit that these tasks, in fact, require moral reasoning of the kind I have sketched above. The questions of who is affected in morally relevant ways, and how one should measure and weigh the effects of alternative actions and policies, raise profoundly philosophical issues (Cohen, 1989). To be sure, there is seldom a practical need for a thorough, comprehensive, or *complete* theory, or to reach complete agreement on one *particular* moral theory. Nevertheless, it is often necessary to develop *parts* of a systematic perspective. Sometimes, it suffices to identify various mid-level principles as expressing equal human worth. But, even this requires philosophical reflection when specifying ideals and principles of equal worth, freedom, and the

like. However, such specification does not assume that the philosopher “sees” what was meant all along, unbeknownst to others at the time (Maclean, 1993, p. 32). Rather, the philosopher engages in creative reconstruction, interpretation, explication, and specification of concepts and principles (Kymlicka, 1993, p. 26, n. 38; Quine, 1960, pp. 257–262; Richardson, 1990).

As commonly used, these principles are not adequately grounded in a unified theory, but only serve as a checklist (Clouser & Gert, 1990, p. 233; van Willigenburg, 1991, p. 184). Unresolved conflicts among these mid-level principles sometimes force us to develop further coherence and unity among vague principles, such as “autonomy and beneficence.” When Beauchamp claims that the principle of beneficence is a “fundamental” principle (Beauchamp, 1984), he should not be taken to hold that such principles need not, or can not, themselves be justified or adjusted in the light of other considerations. What is needed is a systematic encompassing account to settle the conflicts between mid-level or “fundamental” principles. We must determine the scope of application of various rules and principles, and determine the relative order and weight of moral considerations. Philosophers seek to bring various moral considerations to bear, for instance, by asking which interests are secured or promoted by institutional mechanisms, such as informed consent, in order to determine when such procedures are appropriate, or less relevant, as compared to other institutional mechanisms.

In the account I have sketched, moral philosophers serve a valuable function by assisting in the process of gaining reflective equilibrium among moral judgments. Philosophers draw on their training and knowledge in asking sensible questions and constructing sound arguments, specifications, distinctions, and fragments of theories. Such skills of creating order and structure among our moral judgments are taught in philosophy departments, and such skills amount to expertise of a certain kind. Acting as a consultant to committees, we may expect the philosopher to contribute to the deliberation of the committee, honing the use of reason in ethics and moral reflection, aimed at solving the practical problems—though not necessarily offering or generating the correct moral theory. I suggest that the philosopher is fruitfully regarded as taking on the role of coach to a committee.

In sports, the role of the coach is to enable the athletes to achieve a high level of excellence at their sport, increasing their responsibility for their own results (Giske, 1993; Harre, 1982; Heinemann, 1983, p. 64).

Philosopher-consultants focus on the public reasoning of the committee. Philosophers should be expected to arrest weaknesses and flaws in the arguments, identify worrisome premises and consequences, offer their own considered, argued judgment as to improvements and the favored conclusions, and present further arguments and reasonable positions (Ackerman, 1989; Momeyer, 1990, p. 403; van Willigenburg, 1991, p. 2f.).

Are such skills properly called “moral expertise”? This is an important question if we are concerned with determining whether philosopher-consultants are a profession, since professions are often taken to command esoteric expertise

(Hughes, 1963). Philosophers' skills might be labeled "moral expertise" insofar as the subject matter of their training is moral judgments. However, this label may be misconstrued as claiming that ethicists are particularly worthy people, whose judgments are particularly trustworthy.

I am inclined not to regard the philosophers' skills as moral expertise. The quality of the philosophers' recommendations does not rest on their authority or on trusting their character, but rather on the quality of arguments that the philosopher has to offer. Referring to philosophers as moral experts is likely to confuse insofar as they—unlike certain other experts—do not claim to command a decision procedure, but only certain skills (Crosthwaite, 1995, p. 369; Kamm, 1990, p. 352). Moreover, this kind of expertise is not exclusionary, in contrast to other relationships between expert and client. The aim of the philosopher-consultants is to transfer knowledge and skills to the client, not to use their expert skills on the client's behalf. The philosopher's role is, thus, to increase the rationality of the committee, by improving the committee's ability to decide what to believe and to weigh reasons for action—in accordance with its own canons of rationality (Scanlon, 1972, p. 215). The client cannot transfer its decision-making responsibility onto the philosopher. The task of the philosopher is, instead, to improve the decision-making ability of the committee itself (Caplan, 1989, p. 77; van Willigenburg, 1991, pp. 24–27).

What Are the Responsibilities of the Philosopher Coach?

We turn now to consider the moral responsibilities of philosophers serving as educators to committees in the sense I have developed. Several issues have been raised by other writers, and I shall sketch responses to these in turn.

It is appropriate to reflect on the responsibilities of philosophers in the consulting role. Is it true of them, as Brock claims, that:

When philosophers move into the policy domain, they must shift their primary commitment from knowledge and truth to the policy consequences of what they do. And if they are not prepared to do this, why did they enter the policy domain? What are they doing there? (Brock, 1987, p. 787)

The role of philosophers as advisors to committees is different, in several ways, from that of other advisors, and from that of philosopher members of committees. Thus, reflection is appropriate, but the conclusions are not clear. Let me start with defending the view that there are limits to philosophers' responsibility for the consequences of their advice. In contrast, consider Dennis Thompson, who appears to lay down strict act consequentialist requirements:

An advisor is responsible for the consequences of decisions based on his advice insofar as he could reasonably be expected to foresee that they would follow from his advice. Finally, although the requirements of role can create a *prima facie* excuse, an advisor is responsible for any foreseeable harm his role-

bound advice causes when that harm is greater than the harm that would result from breaching the requirements of his role. (Thompson, 1983, p. 288)

The publicly acknowledged role of the coach reduces the philosopher's responsibilities for the policy results. The philosopher, unlike many professionals, does not make decisions or resolve issues *on behalf* of others. The philosopher is not generally responsible for the reports, recommendations, and so forth made by the committee. This is because the committee is always free to accept or reject the suggestions offered by consultants—be they philosophers or other expert counsels. The philosopher-consultant should, thus, not be held responsible if the committee adopts views contrary to what the philosopher considers a philosophically more favored position.

We must, of course, acknowledge that the interventions of a philosopher causes large conceptual and moral shifts, so that the committee members come to think differently about their experiences. In such a situation, one's views are often malleable, and one's ability to reason impaired. Nevertheless, the specific contribution of philosophers is to bolster the rationality of the committee itself. Independent committee members evaluate the policy alternatives and the advice, and their decision breaks the chain of responsibility of the advisor for the causal results:

A person who acts on reasons he has acquired from another's act of expression acts on what *he* has come to believe and has judged to be a sufficient basis for action. The contribution to the genesis of his action made by the act of expression is, so to speak, superseded by the agent's own judgment. (Scanlon, 1972, p. 212)

What is at stake here is the allocation of authority to regulate provision of information and arguments in light of expected benefit or harm. It is difficult to defend the view that the philosopher-consultant should generally be entrusted with this authority. First, the ability of philosophers to forecast such consequences is clearly limited. Moreover, this power makes the committee vulnerable to manipulation by the philosopher. As part of a public practice, this authority of philosophers will, hence, tend to remove the demand for such services. Insofar as this creates worse deliberations in committees, we should be wary of such a requirement regulating the practice.

In particular cases, then, philosophers should not adjust their advice in light of their perceptions of potential harms. However, this is not to say that philosophers should be prepared to take on any project, or that they must always hide their own views from the committee they serve. We now turn to consider some of these issues.

Responsibilities of Taking on Projects

Commissions may have illegitimate tasks and mandates that raise dire issues of complicity in clearly immoral acts. It is, indeed, always necessary for the consultant to consider "precisely how such bodies are constituted, what they are charged

with doing, and whether these are reasonable things to attempt” (Momeyer, 1990, p. 406). Considered judgment is necessary and unavoidable if we do not wish to become accomplices to wrongdoing. However, we should discount some of the objections presented against joining the arenas of practical deliberation as consultants.

Criticism may be of two kinds: either that the philosopher has nothing to contribute as a consultant, or that the role as consultant threatens the integrity of philosophers. Neither criticism renders the philosopher’s contribution irresponsible or irrelevant.

First, some critics argue that philosophers have nothing to offer committees dealing with practical issues. I shall suggest that these criticisms are misplaced. Moral philosophy is sometimes said to ignore the complex relationships between individuals’ behavior and social institutions.

Often a principal concern is with what might be called institutional architecture—the creation of institutional mechanisms designed to guard against and minimize the different sorts of abuse that are apt to disrupt any attempt to translate theory into practice in the complex, messy, and imperfect real world.

(...) It is all part of the “art of the possible” for which lawyers are trained. I detect no comparable proclivity within the discipline of philosophy. (Weisbard, 1987, p. 781)

Weisbard is correct in pointing out that institutional design is not a part of the philosophers’ training. However, political philosophy is typically carried out with these complexities in mind, insisting that individual ethics and issues of institutional justice must be treated as separate, though related subjects of reflection.

Perhaps most interestingly, some critics object to the usefulness of philosophers because of their ideal perspective. The philosophers’ utopian society is unattainable from here, uninhabitable by normal people, and certainly out of reach for a committee with a constrained mandate. Some even go so far as to state that moral truth emerges from compromise and conflict:

A more coherentist or pragmatic theory of truth with respect to public policy would see truth as emerging from the process in which conflicting interests and perceptions struggle for resolution. What this outcome will be cannot be known in advance; hence what should be done, what should count as truth, what public policy should be, cannot be determined in detachment, through abstract principle, or by solitary thinkers. On some such theory of truth as this, compromise of views, interests, even values, is not incompatible with the search for what ought to be and what is true. Compromise is essential. (...) Truth will not, in a democratic process, be determined by conformity to abstract principle. Rather, it will emerge from the process whereby contending forces (of both reason and self-interest) encounter one another. Standards of fairness in the representation of divergent interests must be met, but when

they are, and the process works, whatever results are arrived at will be the correct ones. (Momeyer, 1990, p. 404)

In response, I grant that much moral and political philosophy has focused on what the ideal person and society should be like—in part, of course, because of the strategic potential of ideals (Broad, 1916; McPherson, 1982, p. 76). However, philosophers have, historically, also been concerned with “non-ideal” topics: How to act under the tragic—though very real—constraints of aggressive wars, rebellion, revolution, and civil disobedience. There are important and substantive moral issues belonging to non-ideal circumstances, where the philosophers’ training and contribution are relevant. Note, that this view of the relationship between moral theory and the discussions of committees does not commit us to the different and more problematic view of Momeyer on moral truth. Momeyer holds that an *actual* deliberative and bargaining process, under certain procedural constraints, is both necessary and sufficient, not only to identify, but also to constitute the correct outcome. The view I have presented takes no stand on any of these further claims.

Second, does the role of a consultant threaten the integrity of philosophers? One important role of philosophy is clearly to provide a critical view of the status quo, for instance, by offering an ideal or criteria by which to identify and measure the flaws of present circumstances. Political committees, on the other hand, are bound. They are without the political possibilities of creating the best arrangements from scratch. They easily become remedial; moreover, they become agents of compromise and political manipulation. By serving as a consultant to committees, philosophers risk their integrity, both as individuals and as a group. Their responsibilities “make their independence and critical stance immediately suspect” (Wikler, 1982, p. 12).

In response, we must agree that the philosopher-consultants clearly cannot maintain a completely detached or independent stand, insofar as they must accept the agenda of the committee. But, why is this loss to be grieved? First, it might be thought that the philosophical profession may have something at stake:

One possible result of the increasing participation of philosophers in the public policy arena may be the emergence of adversary philosophers for hire. (...) I am not certain that this is a development that the discipline of philosophy, or the public, should welcome. (Weisbard, 1987, p. 785)

Weisbard raises an important point, but we cannot assess the risks without a careful account of both the current public image of philosophers and the public assessment of philosopher-consultants. I submit, that defining clear expectations and responsibilities is one fruitful step to avoid conflating general philosophical studies with the activities of philosophy consultants, and to avoid conflating the responsibility of public intellectuals with the particular obligations an individual philosopher may legitimately take on as a consultant. Second, there is a real and present danger that philosophers lend legitimacy to a project as “a hired pen, wielding grand language for its theoretical and sanctifying power in service of

the employer” (Wikler, 1982, p. 12). However, this risk is reduced insofar as the acknowledged role of the philosopher is not to offer legitimacy, but rather the more limited one of increasing the rationality of the committee. This risk is further reduced by exploring and expressing, clearly, the grounds and limits of loyalty of a philosopher-consultant toward the committee.

Such a code of conduct should address the dilemmas that arise with philosophers who have contributed to documents they find seriously flawed. Generally, it seems that silence, on the philosophers’ part, is a reasonable expectation, as it would be for most professional consultants. The philosopher may have gained access to confidential information and insight in internal disagreements among members. This information may make it apparent to the philosopher that the results of the committee are not due to arguments and reasoned deliberation, but instead, to the wielding of extraneous power—political, economic, or personal. However, the philosopher has gained access to this information on an assumption of confidentiality. This shared understanding generally requires that the philosopher does not reveal such disagreement or the sources of disagreement. The philosopher should, thus, generally refrain from public criticism of the conclusions of such committees to diminish the threat and real danger of revealing confidential information. Moreover, as an “insider” to the committee, the philosopher is given an opportunity to express opinions in advance and has a chance to argue the case to the members of the committee entrusted with public and political power.

What shall philosophers do if they find themselves strongly opposed to the conclusions drawn by the committee on philosophical grounds? The philosopher’s own integrity may appear to be at stake, and concern for one’s professional reputation would seem to require that the philosopher is permitted to indicate serious flaws in reasoning or to claim that the committee ignored crucial implications. A member of the committee could include a dissenting opinion. However, a consultant does not have such means available. I suggest that insofar as it is publicly known that the philosopher-consultant is required to keep confidences and maintain loyal opposition, the philosopher’s *own* silence on particular matters cannot be regarded as acquiescence in the arguments or the results. It falls on other philosophers—“outsiders” to the committee—to criticize the arguments and conclusions, taking due note of the fact that the consultant may not have sanctioned the conclusions. A further step for the philosopher-consultants may be to insist that their names be removed from any documents and public discussions pertaining to the committee. This measure will help prevent a philosopher’s name or title from being misinterpreted by the public as an endorsement or sanction of the results by the consultant or by the philosophical community at large.

Not Remain Constrained by the Politically Feasible

Should the philosopher-consultants only provide philosophical perspectives that are congruent with current policies and the agenda set before the committee? I suggest not.

Some claim that radical proposals within a committee are counterproductive or that they are undemocratic. The role of the philosopher-consultant should not be that of the reformer. However, there seems to be little reason to require the consultant to refrain from radical arguments that challenge the presuppositions of the committee. First of all, the philosopher will be acutely aware that as a consultant one is there by invitation based upon trust (van Willigenburg, 1991, p. 35). A consultant will feel constrained by this relationship—which, of course, underscores the legitimate and important role of outsider critics and reformers.

A consultant may offer radical criticism—but these comments must still, to have any effect, appeal to the judgments and views of committee members or of the public at large, with the intention of exploring and improving on such commitments (Kamm, 1990, p. 358; van Willigenburg, 1991, pp. 35–39). Short-term political acceptability may be a prudent consideration for the committee itself when deciding on what to recommend, but there is little need for consultants to feel so constrained in the perspectives they offer as contributions to the deliberative process. Indeed, philosophers may provide creativity and foresight on the sensitive questions and issues that will come up later if current policies are left to unfold by themselves:

The proposal may thus end up being prophetic. The underlying reality may be that the questions and queries which led to it are bound to come to historical surface sooner or later. Disruptive proposals (...) may be one of the best contributions philosophy can make to societal life. In the long run they are more valuable than less rigorous policy positions that politically may fit more smoothly into the current public discussion or the dominant moral culture of the health professions. In bioethics public policy, as elsewhere, philosophers should follow their own bests professional lights as long as they involve others in the fundamental issues. We should not let a dim political prospect chill what may be their most constructive and distinctive involvement in public policy. (Menzel, 1990, p. 423)

Point Out Flaws of Moral Reasoning

While the committee is deliberating, the philosopher has a clear responsibility for training the members to achieve a better reflective equilibrium among their moral judgments. The philosopher is expected to point out important implications of various arguments, for example, when it is clear that current public policy runs counter to the assumptions made by the committee. This task is often central if committee members are to achieve more consistent views. But, sometimes this task can create dilemmas.

There is a risk in pointing out flaws: Less sound arguments may triumph, due to manipulation among the members, extraneous interests, or confusion (Brock, 1987, p. 789). Indeed, there is a danger that the commission may pay less attention to moral considerations when they become aware that there is philosophical disagreement (Weisbard, 1987, p. 781). I suggest that the conception of a philosopher as a coach helps address this issue. The aim is to increase the committee's ability to reason and argue, and this concern may legitimately lead the philosopher to hold back some of the philosophical complexities—as is often done when teaching (Davis, 1991, p. 269). Thus, difficult cases arise when moral reasoning raises complex issues without yielding satisfactory resolutions. The role of educator does not require that the philosopher attempts to clarify all errors, particularly not if these errors are so subtle that the remarks are likely to confuse the committee even further (Kymlicka, 1993, p. 23). The aim of the commission is practical recommendations, not a philosophical treatise with maximal validity and consistency. It is, therefore, beyond the philosophers' role, as educator, to identify and address such topics when they cannot expect the committee to gain increased coherence as a result. Philosophical complexities should not be introduced for their own sake, but rather only when there is a reasonable expectation of improved moral reasoning as a result.

Not Always Seek Common Ground

Disagreement within the committee is sometimes regarded as particularly troubling. In discussing the Warnock Committee on embryo research, Abram and Wolf note that:

(...) a commission such as this one has only the power of persuasion. A group performing ethical analysis with no coercive powers, cannot be persuasive without internal agreement. Unlike a court or legislature, which is structured to have effect as long as a majority agrees, a commission requires agreement that is as close to unanimity as possible, to have any effect at all. Without such virtual unanimity, the commission members simply voice possible arguments; with it, the commission can persuade.

The commission method thus forces the commissioners to find areas of common accord. (Abram & Wolf, 1984, p. 629; quoted in Benjamin, 1990, p. 377)

Philosophical considerations often serve to identify points of agreement and pinpoint issues of disagreement so that misunderstandings and empirical issues can be resolved. However, the philosopher may also threaten the apparent agreement among committee members. Weisbard describes a situation in which the phrase "justice demands" was regarded as too simplistic a way to put complex arguments. As a result: "Unprepared to win for the wrong reasons, we were forced to concede defeat in defending what we considered the right ones." (Weisbard, 1987, p. 784)

However, we should note that even when apparent agreement is due to improper reasoning, it is not clear that the coach must arrest these flaws. The ability

of the committee to reason is not always improved by identifying all flaws—particularly if flaws will simply be used strategically.

Furthermore, often disagreement among committee members should not be regretted. Sometimes reflection reveals deep-seated disagreement among committee members, or among citizens at large, on central issues. For the philosopher to bring this disagreement out seems quite unobjectionable: Many such conflicts will emerge sooner or later, and committee discussions offer a better arena for reflection and resolution than the alternatives.

Concerning the Warnock Committee, Benjamin notes that their responsibility toward Parliament required that they “speak with one voice on whatever recommendation was put forth. For each to go his or her separate way, issuing a series of individual opinions would be to admit failure of the collective project.” (Benjamin, 1990, p. 384) On some issues, failure may be appropriate: A committee may sometimes properly report that no compromise seems likely, and that the issue should, instead, be decided with concern for all sides, or by normal majoritarian political procedures. Moreover, the role of committees within a democracy generally does not seem to require that conflicts and disagreements among members of the committee be suppressed in a report—and it seems even less plausible to require the consultant to refrain from introducing and fostering reasoned disagreement among the committee members. It is often of great public and political importance to know that the recommendations of a committee, even when unanimous, are the result of compromise, rather than the result of general agreement. The philosopher’s role is sometimes to assist committee members in observing how compromise, among different opinions and views, may be the morally appropriate solution, given the need for a unanimous recommendation for political decision, but the responsibility may also be to “raise further questions about when, for example, one should seek or endorse compromise, and when a particular compromise would be worse than no policy at all, or place intolerable strains on integrity” (Benjamin, 1990, p. 387).

Conclusion

I have suggested that philosophers can serve a valuable and legitimate role as consultants to committees. Such philosophers can be conceived of as coaches, furthering the committee’s ability to reason about the important practical issues at hand. The general role of a coach involves pointing out flaws in reasoning, teasing out implications and overarching principles. This includes pointing out important solutions and alternatives that are excluded by current politics or from the mandate of the committee. Insofar as the philosopher overlooks major flaws in the arguments being considered, or ignores alternative, important points of view, this must be regarded as a weakness in the services provided. As a coach, the philosopher’s role is, in part, to identify weak arguments and dubious assumptions, at least those that are of some consequence in the discussions. This task is consistent with, and indeed requires, that other philosophers serve as social critics.

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