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EPISTEMIC RESPONSIBILITY AND CRITICAL THINKING

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Abstract: Should we always engage in critical thinking about issues of public policy, such as health care, gun control, and LGBT rights? Michael Huemer (2005) has argued for the claim that in some cases it is not epistemically responsible to engage in critical thinking on these issues. His argument is based on a *reliabilist* conception of the value of critical thinking. This article analyzes Huemer's argument against the epistemic responsibility of critical thinking by engaging it critically. It presents an alternative account of the value of critical thinking that is tied to the notion of forming and deploying a *critical identity*. And it develops an account of our epistemic responsibility to engage in critical thinking that is not dependent on reliability considerations alone. The primary purpose of the article is to provide critical thinking students, or those that wish to reflect on the value of critical thinking, with an opportunity to think metacritically about critical thinking by examining an argument that engages the question of whether it is epistemically responsible for one to engage in critical thinking.

Keywords: epistemic responsibility, critical thinking, critical identities, reliability, debating public policy, moral expertise.

1. Introduction

Citizens of a democratic society are often encouraged to think critically about controversial and publicly debated issues, such as the constitution of fair taxation, universal health care, the moral status of abortion, LGBT rights, gun control, and immigration policy.[1] But the fact that we are often encouraged to think critically about such issues does not show that we *ought* to think critically or that our critical thinking will actually deliver a preferable outcome. For all we know, the encouragement could be misguided, and based on tradition rather than actual data showing that decisions based on critical thinking are often better than those not

[1] On December 14, 2012, twenty-six people were killed at Sandy Hook Elementary School in Newtown, Connecticut. Several editorial pieces in newspapers, such as the *New York Times*, discussed and debated the events that took place by examining the issue of gun control law. The arguments that were given in several newspapers are concrete and timely examples of a public issue that is debated and controversial that this article attempts to address by considering the role of critical thinking on the issue by individual citizens as well as "experts."

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made on the basis of critical thinking. To maintain that we should think critically about publicly debated issues without metareflection on critical thinking would be antithetical to the ethos of critical thinking. To truly understand and accept critical thinking as a mode of engagement that is important to the ethics of belief formation one must examine whether, when, and how critical thinking is an epistemically responsible activity. In fact, it is an essential component of critical thinking that it can be applied to itself, and it is essential that a critical thinker, at some point, undergo a critical inquiry into the limits of critical thinking as an exercise in *self-scrutiny*. Thus, it is legitimate to ask: Why should citizens of a democracy think critically about controversial and publicly debated issues?

In "Is Critical Thinking Epistemically Responsible?" Michael Huemer (2005) has presented an interesting and powerful challenge to the idea that nonexperts should engage in critical thinking about controversial and publicly discussed issues. His main argument, which I refer to as *the central argument*, aims to establish the claim that in some contexts of belief formation engaging in critical thinking is not epistemically responsible. The central argument challenges the idea that critical thinking is always the epistemically responsible activity for one to engage in. The argument provides those learning critical thinking and those who have not reflected on the value of public open debate with an opportunity to critically think about critical thinking in a way that leads to insights about the scope, limits, and value of critical thinking.

In the next section I present the central argument against the epistemic responsibility of critical thinking, and argue that it aims to explain our epistemic responsibility for critical thinking through reliance on the reliability that those skills offer relative to other reliable methods. In section 3, I critically analyze the central argument and present some objections to it. In section 4, by exploring the role of moral expertise, facts, and values in controversial and publicly debated issues, I argue against the central analogy that is used to establish the claim that nonexperts ought to defer to experts for decisions about controversial and publicly debated issues. In section 5, I discuss an alternative conception of critical thinking that aims to illuminate the value of it through the role it plays in the formation of a critical identity—the fundamental mode through which a person evaluates information. I close in section 6 by returning to the question of whether it is epistemically responsible to engage in critical thinking. I argue that critical thinking is epistemically responsible because the goal of public debate on controversial issues is rational assent arrived at through a free deliberative process of deciding what to believe and do. Rational assent requires that one engage in at least a minimal form of critical thinking, which is a function of one's critical identity and is a necessary condition for deciding what to believe on the basis of reason.

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2. Against the Epistemic Responsibility of Critical Thinking

According to the central argument, there are at least some contexts of belief formation in which it is not epistemically responsible for one to engage in critical thinking. The argument for this view rests on the assumption that in those contexts there are at least three distinct means to belief formation that an epistemic agent can take. The options important to the central argument are the following:

Credulity: The epistemic agent is to canvass the opinions of a number of experts and adopt the belief held by most of them. In the best case, the epistemic agent finds a poll of the experts; failing that, the agent may look through several reputable sources, such as scholarly books and peer-reviewed journal articles, and identify the conclusions of the experts.

Skepticism: The epistemic agent is to form no opinion on the matter; that is, the agent is to withhold judgment about the issue.

Critical Thinking: The epistemic agent is to gather arguments and evidence that are available on the issue, from all sides, and assess them for herself. The agent tries thereby to form some overall impression on the issue. If the agent forms such an impression, then she bases her belief on it. Otherwise, the agent suspends judgment.

Where P is a specific controversial and publicly debated issue, and C_bP is the context of belief formation for P, the central argument against the epistemic responsibility of Critical Thinking is the following:

1. Adopting Critical Thinking about P in C_bP is epistemically responsible only if Critically Thinking about P is the most reliable strategy from the available strategies in C_bP.
2. Critical Thinking about P is not the most reliable strategy from the available strategies in C_bP.
3. So, it is not the case that Critical Thinking about P in C_bP is epistemically responsible.

The main idea is that on some occasions it is better to adopt Credulity or Skepticism, rather than Critical Thinking. The defense of premise (2) comes by way of a dilemma. Suppose you are of average intelligence with respect to domain D, that there is some issue P in domain D about which you wish to form a belief, and for which there exists a group of epistemic agents that are experts in D. Putting aside prudential reasons for why you might not or should not engage in Critical Thinking when forming a belief about P, the dilemma is the following.

1. Either there is consensus among the experts on P or there is no consensus among the experts on P.

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2. Suppose there is *consensus* among the experts on P, and you choose Critical Thinking over Credulity. Then either one of the following happens:
   a. You come to agree with the consensus among the experts. In this case you gain no epistemic advantage over Credulity from the standpoint of securing truth and avoiding error.
   b. You come to disagree with the consensus among the experts. It is reasonable to think that, in this case, the experts would nevertheless be correct. By hypothesis, the experts are intelligent and well informed and have devoted considerable time and energy to studying the issue. By hypothesis, you have no exceptional cognitive advantage relative to them. Therefore, it seems that any given expert would be no more likely than you are to be in error; even more clearly, the community of experts as a whole is far more likely to be correct than you are.
   c. You end in a state of suspended judgment. In this case, you would probably have forgone the opportunity to gain a true belief. For reasons similar to those given immediately above, it seems more likely that your failure to accept the experts' consensus would be due to a mistake or oversight on your part than to a mistake on the part of the community of experts (provided that the threshold level of evidence at which *you* move from withholding to endorsing a belief is not much higher than that of most experts).
   d. So, given 2(a) to (c): when there is consensus on P, it is preferable to choose Credulity over Critical Thinking.
3. Suppose there is no consensus among the experts on P, and you choose Critical Thinking over Skepticism. Then either one of the following will happen:
   a. You will be unable to form a clear impression of the issue, resulting in a state of suspended judgment. In this case, you gain no advantage relative to adopting Skepticism right at the start.
   b. You will form a determinate belief on the issue. Should such a belief be trusted? By hypothesis, the experts, with their cognitive advantages, have been unable to form any consensus. This suggests that typical experts are not reliable with respect to the given issue. As a result, it seems unlikely that you would be reliable on the subject either.
   c. So, given 3(a) and (b): when there is no consensus on P, it is preferable to choose Skepticism over Critical Thinking.
4. In a situation where one wishes to form a belief about P, and both Credulity and Skepticism are options one can pursue instead of Critical Thinking, then if Critical Thinking is not epistemically superior to Credulity when there is consensus on P, and not epistemically superior to Skepticism when there is no consensus on P, then it is not

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epistemically responsible to pursue Critical Thinking in forming a belief about P.

5. Thus, in a situation where one wishes to form a belief about P, and both Credulity and Skepticism are options one can pursue instead of Critical Thinking, given that either there is consensus among the experts or there is none, it is *not* epistemically responsible to pursue Critical Thinking.[2]

The basic point of the dilemma argument is that when one is attempting to form a belief in a domain where there are experts and one is epistemically inferior to those experts, it is *not epistemically responsible* to take the judgment formed by the output of one's own process of critical thinking as being more important than that of the experts. In other words: If you are of average intelligence on a publicly debated issue P, and there is consensus among the experts on P, follow the consensus; if there is no consensus among the experts, adopt skepticism; but don't bother engaging in critical thinking—you are only of average intelligence!

The central argument, and the dilemma argument, which supports its main premise, leads to the question: Why is critical thinking valuable for most of us?

At least one way to account for the value of critical thinking takes its point of departure from two properties of critical thinking: (i) critical thinking consists of a set of skills, (ii) when evaluating arguments in a domain where one does not possess any domain specific knowledge, an agent that possesses critical thinking skills is more likely to form a true belief than an individual that does not possess critical thinking skills.

For example, suppose two agents, A and B, who know nothing about twenty-first-century American politics are deciding whether to believe

(P) Every candidate for the 2012 presidential election is a social conservative of European descent.

and the only items of evidence they are given are

(Q) There are fifteen candidates.

and

(R) Two of them are social conservatives of European descent.

Further suppose that A knows how to engage in critical thinking, in particular how to detect whether an informal fallacy is present in an argument, while B does not know how to engage in critical thinking. As a consequence of possessing this skill, A recognizes that the inference

[2] The main components of Huemer's argument are contained in sections 2 and 3.

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from (Q) and (R) to (P) is an instance of a hasty generalization, while B does not. Thus, following A's training, A suspends judgment over (P), while B, attracted to some feature of the claim, believes (P). We can now further suppose that in this case agent A ends up avoiding the formation of a false belief, while B holds a false belief because (P) is false. Agent A is better off than B, holding all else equal, because A has fewer false beliefs than B.

On this kind of account one explains the value of critical thinking through its reliability. The reliabilist account of the value of critical thinking maintains that the possession of critical thinking skills increases the likelihood of forming a true belief in certain contexts. It is clear that at least *one* value that critical thinking has is that it can in certain contexts increase the likelihood of forming a true belief.

The argument against the epistemic responsibility of critical thinking that the central argument offers rests on, and emphasizes, the reliabilist account of why critical thinking is valuable.[3] Let me briefly make the case for this claim by exploring a component of the main dilemma-style argument offered.

Notice that the argument involves three options: Critical Thinking, Credulity, and Skepticism. Now concerning only Credulity, for example, note that the central reason why we are told, at 2(a) to (c), that adopting Critical Thinking over Credulity is not a good strategy is because we are unlikely to form a true belief when there is another more reliable method available. That is, the strength of the argument comes from noting that (i) Critical Thinking is a reliable method, (ii) in certain situations there are other methods that are more reliable, and (iii) in any situation in which there are competing reliable methods it is not epistemically responsible to adopt the inferior method. Thus, the contour of the argument operates within the frame of the assumption that epistemic responsibility is tied to reliable belief formation, and all that Critical Thinking does is offer us a reliable tool that must compete along with other reliable tools for use. The inference moves from the unreliability of a method relative to other methods to the employment of the method not being epistemically responsible. No other potential source of value for critical thinking is discussed or presented. What one learns is that in some cases it is not epistemically responsible to think critically because there is a more reliable way to form a true belief about the issue. One is left wondering: Is critical thinking exhausted by the role it plays in the acquisition of true belief by virtue of its reliability? Is critical thinking simply a tool just like a thermometer?

[3] It is of relevance to note that in section 2 of his article, where he argues against the epistemic responsibility of critical thinking, Huemer entitles the section "How Reliable Is Critical Thinking?"

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3. An Analysis of the Central Argument

Is critical thinking epistemically responsible? In attempting to answer the central question under investigation we should begin by noting three things. First, the question can be further qualified, from the general question that is presented to a *particular* question about a specific context of belief formation. Instead of asking, "Is critical thinking epistemically responsible?" we should be asking, "Is it epistemically responsible for one to engage in critical thinking about issue P in C_bP?" The more specific question allows us to think critically about the nature of the specific issue and the specific context of belief formation. Second, with respect to the more qualified question there are at least three answers that can be given:

(a) In C_bP it is *not* the case that critical thinking is epistemically responsible.
(b) In C_bP it is the case that critical thinking is epistemically responsible.
(c) In C_bP critical thinking is epistemically *ir*responsible.

Third, in order to answer the central question and the more specific version of it we would need to have two theories in place:

(i) An account of what constitutes critical thinking as a skill.
(ii) An account of what constitutes epistemic responsibility.

Having stated what is necessary for an adequate answer to the central question, let me now evaluate the central argument and the dilemma that supports it, by presenting a set of problems and questions.

First, there is the problem of *insufficient characterization* with respect to critical thinking. Although the central argument does provide an account of what critical thinking is by way of saying that it requires coming up with an impression on an issue by canvassing the arguments available, the account of critical thinking it offers is far too *broad*. With respect to the issue of reliable belief formation what needs to be specified is exactly what skills an agent would possess when engaging in critical thinking. Moreover, one would need to know whether the agent knows how to identify informal fallacies, check the validity of arguments, check bias, and identify the relevant experts on the issue. Absent an actual specification of what critical thinking is, the argument appears to move from claims about the fact that a person is of average intelligence to a claim that the person ought to adopt the beliefs of those that are more intelligent on a certain issue, since—by definition—the person is only of average intelligence. Under some specifications of critical thinking an agent would have far too few skills available to assess any complex issue. For example, argument mapping and diagramming is a valuable skill that allows one to identify

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the relevant components of an argument, such as the premises and the conclusion, as well as whether there is a single argument present for a conclusion or multiple arguments for the same conclusion. If critical thinking does not include that skill, it may be the case that the impression formed by the agent attempting to critically think would fail to capture important components of argument evaluation. A similar problem would arise for an agent who did not know how to identify informal fallacies or to employ formal techniques for determining the validity and cogency of deductive and inductive arguments. Without a strong description of what constitutes critical thinking it is hard to assess the claim that critical thinking is less reliable than deference to experts. More importantly, though, without the further specification it may be necessary for one to defer to others because the level or skills for forming a true belief in the domain that one possesses are insufficiently robust or reliable.

Second, and related to the first, there is an *implementation* problem with respect to Credulity. The argument assumes that in any case where both Credulity and Critical Thinking are available it is possible to implement Credulity without *any* Critical Thinking. Credulity is defined as canvassing the experts and determining what they believe. On most specifications of "critical thinking," however, Credulity could only be implemented through the use of some components of critical thinking. Moreover, in the absence of a poll one would have to identify the relevant experts and determine what the majority view is. On most reasonable accounts of critical thinking, canvassing sources of information and determining the majority view would count as critical thinking.[4]

Third, the argument concludes with the claim that Critical Thinking is *not* epistemically responsible. From a critical point of view, however, one might wonder whether this conclusion entails that Critical Thinking is epistemically *ir*responsible. An act can fail to be moral without being immoral—for example, because it is amoral. Likewise, it is possible that an activity could fail to be responsible without being irresponsible. In addition, it should be noted that when an activity x is epistemically *ir*responsible it is worse than an activity y that is merely not epistemically responsible. So, we are left with the question: Is critical thinking epistemically irresponsible?[5] And if it is merely not epistemically responsible, how bad is this relative to an activity that is epistemically irresponsible, such as intentionally choosing to believe something on the basis of testimony from a person you take to be highly unreliable, or failing to ever engage in critical self-reflection about one's own modes of belief formation.

Fourth, and related to the third, the argument appears to tie the notion of reliability and unreliability to responsibility and irresponsibility.

[4] For an excellent and expansive discussion of this point see Ritola (2012). He discusses this position under his defense of Reasonable Credulity.

[5] I would like to thank Adina Preda for discussion of this point.

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However, no robust account of epistemic responsibility is offered. An expansive treatment of the epistemic responsibility of critical thinking would require a more robust account of the constitution of epistemic responsibility. It is possible that a fuller account of epistemic responsibility would be able to explain what is valuable about critical thinking in cases where one is learning how to think critically while engaging explicitly with those who are epistemic superiors on an issue, and when critical thinking by an inferior may be of value even to those who are epistemic superiors. For example, even a novice critical thinker can provide a valuable counterexample to a well-argued position by a seasoned theoretician on a controversial issue. The counterexample, moreover, might be outside the scope of what was considered by the theoretician, and thus a valuable contribution to a dialogue on the relevant issue. The general point is the following: although an epistemic superior will be more *reliable* than one who is not an expert on the particular issue, an epistemic superior is still *fallible*, and nonexperts trained in critical thinking have the ability to contribute to capturing the mistakes of experts or providing insights that are not within the frame through which the expert conceives the issue.[6]

Fifth, the argument does not take into account the fact that belief formation occurs in time and with respect to other goals. In forming a belief about a controversial and publicly debated issue one may have the ultimate goal of forming a true belief, but given other goals one may choose to forgo a more reliable process of belief formation in order to further some other end. For example, one might forgo the opportunity to form a true belief through adopting what the experts on an issue believe because they wish to engage in critical thinking in order to practice and develop the skill of critical thinking. What they gain is increased competence (training in critical thinking), which itself may terminate in a true belief, and what they lose is gaining the true belief by a more reliable process—the testimony of the experts. Furthermore, in cases in which experts are divided, engaging dialectically with experts may allow one to understand what questions would settle the issue for them. That is, critical thinking can terminate in the production of *hinge point questions* that settle an issue, but whose answers are unknown to both experts and nonexperts.

Sixth, there is a *structural* problem in the argument. Some issues have experts, some other issues do not have experts. The argument only tells us what to do in the cases in which there are experts (more on this in the next section). There are two versions of this problem. On the one hand, there is the problem of having a *continuation* of expertise in a domain. In the cases in which there are experts, the theory tells everyone to not engage in critical thinking, but this entails over time that at some point with respect

[6] One important area of research that could provide a good foundation for examining the relation between epistemic responsibility and critical thinking is *virtue epistemology*. In this branch of epistemology I find Baehr 's defense of inquiry-based virtue responsiblism to be especially interesting and plausible as a foundation for critical thinking (Baehr 2011).

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to the particular issues where we have experts, there will be no more experts. No one would have developed the requisite critical thinking on the issues where there was a majority and expertise. As a consequence, the majority view would simply be carried over because it was the view held in the past. In a case like this we would have enduring belief that something is the correct view in the absence of anyone who could reasonably apply critical thinking skills to justify the position. On the other hand, there is the problem of *no expertise*. The theory tells us nothing about what to do in a case where there are no experts, but where critical thinking on the issue would lead to the production of experts in the domain.

Seventh, and related to the sixth, the argument operates on the assumption that it is possible for experts to *disagree*. On this issue there are two points that must be noted. On the one hand, there is the issue of what constitutes expertise, such that it is possible for two experts to disagree. One might argue that if A and B are experts on issue P it is impossible for both to be exercising their *expertise* and yet disagree. Moreover, if there is disagreement, then it is due to the fact that either A or B has suffered from some kind of performance error in her evaluation of the evidence on the issue or that their disagreement stems from the application of distinct models of how to interpret the evidence. On the other hand, on the assumption that expert disagreement is possible, there is the issue of how experts ought to react to expert disagreement, and how a nonexpert ought to view expert disagreement versus peer disagreement.

Even though the central argument suffers from these questions and problems, I believe that the argument establishes a limiting case that is important for critical thinkers to acknowledge—there are cases in which critical thinking is not the epistemically responsible thing to do. We would expect, however, that any robust account of critical thinking and epistemic responsibility would have the resources within itself to instruct the agent as to when this might be the case. The idea being that an agent who can critically think would (i) be able in virtue of the exercise of critical thinking to know when he ought to adopt the belief of an expert in forming a belief, rather than form his own belief, and (ii) know how to identify the relevant experts. Deference to experts is a function of critical thinking.

4. Critical Thinking, Controversial Issues, and Moral Expertise[7]

In the last section I noted that the dilemma argument relies on the existence of experts. Huemer himself offers an analogy as a way of presenting

[7] I would like to thank an anonymous referee for his or her tremendous guidance in improving the development of this article. The referee's keen eye for what is at stake in the argument led me to additional research that allowed me to formulate several of the arguments in the work. The final argument of this section is due to an adaptation of the comments made by the referee concerning the existence of experts.

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the oddity of adopting Critical Thinking in certain contexts of belief formation.

> Suppose a friend of yours has recently developed chronic abdominal pains. He asks for your advice. You say: "Don't just take the word of some doctors. Diagnose and decide how to treat the condition yourself." Few would consider this to be good advice from the standpoint of maintaining or improving your friend's health. We recognize that there are experts who are better positioned than we are to determine the correct treatment for a medical condition, and we accept the rationality of deferring to experts about medical issues. What is different in the case of controversial, publicly discussed issues? (2005, 523–24)

This passage raises the following argument.

1. Cases of medical diagnosis are just like cases of controversial and publicly discussed issues.
2. In the case of medical diagnosis it is epistemically irresponsible to self-diagnose. One should defer to medical experts in order to arrive at a true belief about one's ailment.
3. So, in the case of controversial and publicly discussed issues one should defer to an expert in the domain to arrive at a true belief about what position to take on the issue.

Huemer's question at the end of the passage raises the important issue of whether or not there are experts in the realm of controversial and publicly discussed issues, such as taxation, immigration, health care, and LGBT marriage, in the same sense in which there are experts in various areas of medical diagnosis, such as neurology and internal medicine. It is important to take note of some of the issues that are at stake in this area. These issues were noted in the prior section:

(a) What is the nature of expertise in general?
(b) Are there experts in the area of controversial and publicly debated issues in the same sense as there are experts in the area of medicine?
(c) What is the nature of expert disagreement? How is it possible for experts on an issue to disagree?

There is a vast literature on each of these issues, both in psychology and in philosophy.[8] It is beyond the scope of this article to address the answer to each of these questions in depth. As a consequence, I will focus my efforts on (b), since it is tied most closely to the issue raised by Huemer, and the fundamental problem in the central argument.

[8] See Warfield and Feldman (2010) for discussion of issues pertaining to disagreement. See Ericsson et al. (2006) for discussion of issues pertaining to expertise.

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One key difference between medical cases and controversial and publicly discussed issues is that medical diagnosis is largely a matter of factual analysis, while controversial and publicly discussed issues are not simply a matter of factual analysis.[9] What makes topics such as the desirability of gun control laws, universal health care, the morality of abortion and the death penalty, LGBT rights, sweatshop labor, and prostitution *controversial* is in part the existence of conflicting value claims, rankings of what is valuable, and perspectives on how to analyze issues of social and political concern.[10] That is, while part of the disagreement in these cases can involve disagreement over what facts are relevant, it is also true that part of the disagreement concerns issues of value. The arguments that are involved in controversial cases contain two kinds of propositions. They contain factual propositions concerning matters of fact, such as whether or not countries that have gun control laws have lower rates of accidental death. But they also contain value claims, such as the Utilitarian principle, which holds that the right action is that action from the set of available actions that maximizes aggregate utility.

What is (perhaps) common to both expertise in the medical case and expertise in the case of controversial issues is that one can be an expert on facts. A doctor in a specific area of medicine is an expert at taking in facts about the patient's physical condition, producing a diagnosis of the patient's ailment, and prescribing a treatment. An expert on controversial issues is an expert on two kinds of facts: (i) the kinds of facts that are relevant to the issue, such as whether or not countries with gun control laws have lower rates of accidental death; and (ii) facts concerning what views others have taken on the issue. What would additionally have to be common to both forms of expertise for the analogy to hold, however, is that experts on controversial issues would also have to be experts on what to value, which values are more important than others, and how to choose between competing values. In general, the experts would have to be *moral experts* in addition to *factual experts* concerning their specific issue. It is with respect to the issue of moral expertise that the analogy breaks down.

There are three ways in which the notion of moral expertise can be problematic in the context of the argument in favor of deferring to experts on controversial issues. First, there is the problem of whether or not there

[9] Three points. First, although I do rely on the fact/value dichotomy to make this point, I am not endorsing a strong distinction between the two. Second, and related to the first, while I am confident that this point is relevant to separating medical cases from controversial and publicly debated issues, I am not confident that medical diagnoses involve no appeal to matters of value. Eastern and Western medicine are likely to conflict on some diagnoses of what is ailing an individual and what the correct treatment is. These differences might be traceable to fundamentally different values.

[10] Third, what is important is that this claim be understood on a gradient conception. The claim is *not* that all medical cases of diagnosis are issues of fact alone and all controversial and publicly discussed issues are cases of value alone. Rather, it is that the medical cases, in general, fall closer to the side of fact than do controversial issues of public debate.

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are any moral experts. The *metaphysical-psychological* problem of setting a criterion that separates moral experts from nonmoral experts pushes one toward the position of taking the default stance that there are no moral experts. Second, even if there were moral experts there is the additional *epistemological* problem of identifying who the moral experts are, when one is not a moral expert. Third, there is the *political* problem of deferring to a moral expert in the context of a democratic society. Let me elaborate on these three problems.

In the metaphysical-psychological case, one can argue that what is needed is a criterion for separating out experts from nonexperts in the moral domain. One idea for separating out experts from nonexperts would be stability of judgment in the moral domain. A judgment in a domain is *stable* only if it is not subject to order-embedding effects. For example, if a subject is shown a series of cases and makes a judgment about each of the cases, then the subject's judgment is stable only if it does not change depending on the order in which the cases are presented. The fundamental ideas behind stability as a criterion for moral expertise are: (a) the order in which an expert is asked to make a moral judgment about a case is irrelevant to the judgment that is correct in the case, and (b) since the order is irrelevant, a moral expert should not be susceptible to order-embedding effects. In other words, if a moral expert thinks that it is morally wrong to kill innocent children for no good reason, then her judgment should not change based on whether she was asked before whether it is morally permissible to drive while intoxicated. In an investigation on moral expertise, Schwitzgebel and Cushman (2012) present empirical data for the conclusion that philosophers (taken as an example of moral experts) do not appear to be moral experts in the sense of being stable judges:

> To the extent that judgments about individual scenarios are driven by stable moral principles, those judgments should not be affected by order of presentation of the scenarios. And to the extent that people choose to endorse or reject moral principles for stable and consistent reasons, those decisions should not be strongly influenced by the order in which several previous judgments were made. Philosophers—especially ethics PhDs at well-ranked research departments—should seemingly be particularly resistant to order effects on their scenario judgments and endorsement of principles due to prior familiarity with the principles and general types of scenarios. *However, even this "best-case" group of participants showed substantial order effects on their judgments about moral scenarios and their endorsement of moral principles*. (2012, 147; emphasis added)

It should be emphasized that stability is offered here as a necessary condition on expertise. It is clearly not intended as a sufficient condition on moral expertise. One would think that in addition to being stable, a moral expert would need to be able to explain and or justify various moral

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judgments, as well as engage in moral argumentation. The general view would be that moral expertise consists in some kind of ability that philosophers and experts on controversial and publicly debated issues have that nonphilosophers and the general public lack. This theory would maintain that the experts are stable judges and also able to explain the relevant properties in the domain. The problem is that absent the specification of the criterion and real evidence that the relevant experts actually have the additional expertise, the analogy with medical practice is in need of further supplementation. One is left with the default position that we should not assume that there are moral experts, given that instability can be used to refute the claim that there are moral experts.

Nevertheless, one might not be moved by the metaphysical problem. It might appear that the metaphysical problem suffers from being an instance of an argument from ignorance: because we don't know what the criterion is for being a moral expert, there are no moral experts. Although the metaphysical argument is more robust than the charge of ignorance makes it out to be, we can assume that there are moral experts and move on to the *epistemological* problem associated with deferring to them in the context of critically thinking about controversial and publicly discussed issues. In the epistemological case we face the credentials problem presented by LeBarge (2005), and defended by Cholbi (2007):

> [A]nyone sincerely in pursuit of expert advice [in the moral domain] is handicapped by her own lack of moral knowledge, since the very need to draw upon other's moral expertise means that one lacks sufficient moral knowledge to evaluate the credibility of at least some moral judgments made by putative experts. This suggests that assessing someone's claims to moral expertise falls prey to the following dilemma: The expert's expertise might best be judged by the moral advice she provides, but a non-expert is in no position to appraise the content of that advice. (Cholbi 2007, 325)

It is important to note that the credentials problem arises in any domain where there are experts and nonexperts, and nonexperts are seeking expert advice. However, as Cholbi, following LeBarge, notes:

> [T]his problem does not seem as acute for other forms of expertise, since non-experts can often appeal to quite ordinary criteria to determine the appropriateness of a putative expert's advice. That is, "the shape of a successful solution" to a non-moral problem will often be more evident than the shape of a successful solution to a moral problem. Whether, for instance, an individual who claims to be an expert in investing money is an expert could be judged straightforwardly by the profitability of the investment plan she recommends. In contrast, there does not seem to be any straightforward basis on which one could, even retrospectively, appraise the advice of a would-be moral expert. (Cholbi 2007, 325)

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The acuteness of the contrast presented between investing expertise and moral expertise helps isolate why there is a disanalogy between the medical case and the case of controversial issues. The medical case is more like the investment case than the case of controversial issues. In a medical case it is clear what the shape of a solution to one's ailment is—that the treatment offered on the basis of the diagnosis cures the ailment. In the case of controversial issues, however, when one turns away from the facts about, say, gun control and to the issues of value, such as liberty and the right to self-defense, it is harder to assess what a solution or right answer would be, or what would constitute being an expert on the relevant moral issues. While we can easily judge whether someone is factually correct about the number of deaths that occur in a country with stringent gun control laws versus no gun control laws, it is much harder to find objective nonbiased evidence to corroborate an individual's moral claims.[11]

But, again, even if there is an identification problem that, as Cholbi argues, is insurmountable, one might wonder if there is a nonmetaphysical and nonepistemic problem with deferring to moral experts. That is, a problem that occurs on the assumption that we have a moral expert on hand. Along this line of argumentation, Martha Nussbaum argues for a view that can be applied to Huemer's analogical medical argument in order to generate a nonmetaphysical and nonepistemic problem. In her work on the propriety of moral testimony in constitutional cases, she presents a political problem for those who would argue that we should allow the use of testimony by moral experts in trials involving matters of constitutional law:

> It is . . . one thing to hold that philosophy plays a valuable public role, and quite another thing to hold that philosophical testimony should be introduced as expert testimony in constitutional cases. The introduction of the philosopher as an expert witness suggests a hierarchy, asking the judgment of the layperson to defer to that of the philosopher. Typically, expert testimony requires considerable "epistemic deference": the judge or jury is instructed to look at the credentials of the witness and believe what the witness says, rather than do much independent evaluating of the witness's arguments. (2002, 513)

Nussbaum's position sets up a way of responding to the medical analogy. If philosophical testimony—moral testimony by philosophical experts in moral theory—is illegitimate in a court of law, as Nussbaum argues, for a general reason that is present in both legal and nonlegal

[11] In making the present claim I only mean the following. On a scale of 1 to 10 where 1 is determinable and 10 is indeterminable with respect to the question of what a correct solution looks like: the medical case is a 2, the investing case is a 4, and the moral case is an 8.

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cases, then it is equally illegitimate to defer to moral testimony outside a court of law. In arguing for the existence of moral experts and why moral testimony is impermissible in a court of law, she presents many reasons that do not apply to discussions of controversial issues outside the court of law. However, there is one argument she offers that does stretch across both cases of constitutional law and debate over controversial public issues:

> [There is the] question of when one may permissibly introduce "comprehensive conceptions" of the human good into a public debate on "constitutional essentials and matters of basic justice." We live in a highly pluralistic nation, in which reasonable citizens differ on basic matters of the ultimate good. Some of their starting points are religious, some philosophical. There is, let us hope, a reasonable degree of consensus on some core matters of basic justice: citizens starting from their different conceptions of what gives life its worth can all still affirm, in their different ways, the basic list of liberties given in the Constitution, and other matters of justice. . . . But an important part of this core is a common commitment to respect the diverse paths people take when they search for the good, whether through religion or through some other ethical system. (2002, 516–17)

The basic argument Nussbaum offers I refer to as the argument from *Political Liberalism:*

1. Political Liberalism requires the democratic virtue of respect for differences over matters of what the ultimate good is.
2. Testimony by moral experts is incompatible with the democratic virtue of respect for differences over matters of what the ultimate good is in cases of basic justice.
3. So, testimony by moral experts is inconsistent with Political Liberalism.

The argument from Political Liberalism suggests that deference to moral experts is inappropriate in certain contexts of discussion of controversial issues because it is inconsistent with respect for differences over matters of what the ultimate good is. When individuals disagree over matters of what the ultimate good is, appeal to moral expertise is inconsistent with respect for pluralistic approaches to the question of what a good life consists in. Nussbaum's argument allows one to analyze the medical analogy in the following manner. It is possible that in some cases of controversial issues deference to or reliance on someone more knowledgeable about moral issues is advisable. But this will be true because of the nature of the topic under discussion, how close the topic is to central values that people in a pluralistic democracy have, as well as the nature of the participants involved in making the group decision. However, it will also be true that in other cases of controversial issues it will be inappropriate to defer to

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moral experts, since deference would be inconsistent with respect for differing conceptions of what the good life is, and how to pursue personal inquiry into answering the question of what constitutes a good life. Nussbaum's argument brings to light the fact that in order for many decisions on controversial issues to be appropriately decided each individual in the group must come to possesses a conception of basic goods from which the individual critically thinks about issues of public concern. This conception of basic goods and the good life cannot be acquired by mere deference to moral experts, as it would be a violation of the process of inquiry that is necessary for the agent to appropriately acquire a conception of basic goods and the good life. Each agent's individual conception as part of her identity is necessary for her to navigate the space of controversial and publicly debated issues.

Let me close this section by offering a dilemma-style response to a question similar to the initial question raised at the outset of this section: Why is it that we should defer to doctors in medical cases and not defer to moral experts in cases of controversial issues? Let us consider the following premises and conclusion:

1. Either there are experts on the topic of value or there are no experts on the topic of value.
2. If there are experts on the topic of value, then for the most part they are divided.
3. If the experts are divided in their views on value, then following the argument against Critical Thinking offered by the dilemma argument it would appear that one ought not to engage in critical thinking but adopt Skepticism about a great many issues that depend on questions of value. The reason is that most of us are not experts on value.
4. If there are no experts, then the argument against Critical Thinking does not appropriately apply to the issue of what we should do in cases of controversial publicly discussed issues. The reason is that the argument does not address what we should do when there are no experts.
5. So, either we ought to adopt skepticism about a great many issues that depend on questions of value or the argument against the epistemic responsibility of critical thinking does not apply properly to cases of controversial public issues.

Here is an explanation and defense of the steps in this argument. First, following the earlier part of this section, it is clear that many controversial and publicly discussed issues turn on issues of value, and thus we have a question over whether, in the domain of value, there are experts. And if there are experts on an issue of value, we have two options with respect to that issue P: either there is consensus on P or there is not. I

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offer no defense of premise (2)—that if there are experts, then there is a division among the experts. I take it that the notion of a controversial and publicly discussed issue has as a nondistal logical consequence that what makes the issue "controversial" is in part a debate over what the facts are in the case, which values are important, and which values are more important than other values. So, although one could argue that there are some cases in which there are experts in the domain of value and they all agree on what is of value and what the correct course of action is, those cases would not be cases of "controversial and publicly discussed issues" in the sense that the central argument appears to be addressing in the question. For example, although slavery was once a controversial and publicly discussed issue, at least in America, it is no longer a controversial and publicly discussed issue. What has changed? We agree as a society on the nature of equality as applied to humans. In many cases our agreement on this comes from different sources, some religious and some not. But the wrongness of slavery is no longer controversial in the same way as it was in the time of Abraham Lincoln and the American Civil War.

Premise (3) is true because when the experts are divided one should adopt Skepticism rather than engage in critical thinking. For now, I simply note that (3) follows from the line of reasoning employed in the argument against the epistemic responsibility of Critical Thinking. Later I will have more to say about why (3) is deeply problematic. As a way of forecasting my position, though, one should consider the fact that what each of us values is deeply connected with our conception of who and what we are, and as a consequence robust skepticism about questions of value is deeply problematic for our sense of self.

Premise (4) follows from either taking it to be true that in the domain of value there are no experts, or that what it is to be an expert in the domain of value is so different from what it means to be an expert about, for example, statistical theory, that there is no point in claiming that we are talking about the same thing when we refer to "experts on value." The problem for the dilemma argument against the epistemic responsibility of Critical Thinking is one of application. When we notice that (i) controversial and publicly discussed issues turn on questions of value, and (ii) there are metaphysical, epistemological, and political problems with the idea of experts on questions of value, we are immediately left in the dark by premise (1) of the dilemma. For premise (1) of that argument says either there is consensus among the experts or there is no consensus among the experts. But what if there are no experts or it is inappropriate to consult experts? What should we do then?

The conclusion is problematic because we need to develop a conception of what is valuable to each of us, and we need to know what to do in a situation where either there are no experts or it is inappropriate to defer to expertise.

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5. Thinking Critically and Critical Identities

The argument against the epistemic responsibility of Critical Thinking begins with a characterization of what critical thinking involves. It maintains that critical thinking minimally involves that one attempt to assess arguments and evidence on their merits, as opposed to relying on the intellectual authority of others. In section 2, I argued that the argument engages a reliabilist account of the value of critical thinking without discussion of any other values that critical thinking may offer those who possess the skill. In this section I aim to offer an alternative account of the value of critical thinking. The alternative account I offer recognizes the importance of critical thinking as a reliable method of belief formation. It also, however, acknowledges the value of critical thinking by illuminating its connection to our critical identities.

The first step toward understanding the account I will offer comes through offering an account of what can be part of the constitution of critical thinking. Huemer is concerned almost explicitly with discussions of critical thinking as found in critical thinking textbooks; works such as these often discuss the reliability of sources of evidence, argument identification, argument diagramming, informal fallacies, techniques for the formal evaluation of validity, persuasive argumentation techniques, and so on. But this is not the only notion of critical thinking that is a reasonable specification of the term. As I noted in section 3, Huemer's account is far too broad in terms of its characterization of what constitutes critical thinking. However, it is also too narrow in how it conceives critical thinking merely in terms of reliability. There is much more to be gained from a further specification of the kinds of evaluative engagement that can fall under "critical thinking." Some of these engagements do not pertain to reliability; rather, they pertain to having a *critical point of view* or perspective and identification with a concern of a certain kind.

Within the scope of critical thinking there are various kinds of exercises that one can engage in. In the most familiar cases one would do any of the following:

(a) Use an argument diagram in order to identify what kind of argument is being offered in defense of a flat tax proposal, prior to evaluating the validity of the argument.
(b) Check to see whether an argument in favor of a pro-life or pro-choice policy on abortion contains an informal fallacy, such as begging the question.
(c) Check to see whether an argument on immigration policy is sound, by checking to see whether the premises are true, in addition to the form being valid.

One might, however, also *think critically* about taxation, abortion, and immigration by:

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(d) Applying Marxist economic theory or free market capitalism to understand the implications of a flat tax proposal for different classes of individuals.
(e) Applying various feminist philosophies or religious-ethical texts to understand the implications and assumptions about the pro-choice versus pro-life debate from the perspective of women and various religions.
(f) Applying postcolonial theory or critical race theory to understand the implications and assumptions behind various international immigration policies from the perspective of indigenous peoples of colonized nations and racial minorities within a nation.

Cases (a) to (c) involve examination and evaluation of the veritic components of arguments. Validity, absence of informal fallacies, and true premises are important components of a good argument. Cases (d) to (f) involve examination and evaluation of nonveritic components of an argument. A Marxist, free market capitalist, feminist, religious-ethical, postcolonial, or critical race theory perspective on a publicly debated and controversial issue is a critical stance on an issue, but it is not one that pertains merely to the likelihood of the belief on the issue being true. To adopt a pro-choice stance on abortion because one has canvassed the various positions on the issue and chooses to adopt the pro-choice stance partially on the basis of identifying with feminist critiques of pro-life positions is not to fail to engage in critical thinking. It is to engage in a more expansive form of critical thinking, one that goes beyond merely employing skills, such as identifying fallacies and invalid arguments. To alter one's eating habits because one has read literature on animal cruelty and decides that the states of animals are relevant to their system of valuation is to critically expand one's mind to the perspective of other sentient beings. It is to take on a concern for them in one's critical evaluations.

To test whether an argument on abortion law is a valid argument is to test whether the structure of the argument is fundamentally truth preserving. It is to inquire into whether it is possible for the premises of the argument to be true while the conclusion is false. To investigate that same federal abortion law from the perspectives of feminism, Marxism, or critical race theory is to investigate how the law bears upon women, class, and race. The difference in evaluating an argument on abortion from these two perspectives is the following. In the former case, where we test for validity, our concern is with evaluating arguments with respect to the formation of a true belief. In the latter case, where we evaluate from the perspective of feminism or critical race theory, we are interested in evaluation based on considerations of how different groups will be affected. In general, both kinds of cases, (a–c) and (d–f), are cases of critical thinking,

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but it is doubtful that Critical Thinking as discussed in the central argument would consider (d–f) to be cases of critical thinking. What is important is that the kind of critical evaluation that goes on in the second class of cases, (d–f), is important for our beliefs about controversial and publicly debated issues because they pertain to values that we can choose to be concerned with. These values are related to the moral values that one must choose to adopt in order to engage in evaluating controversial and publicly discussed issues. And they are also in the space of moral, social, and political reasoning for which it is inappropriate to defer to experts.

A valid argument in favor of a flat tax across all incomes, say 10 percent, will have a valid structure, but it may not shed much light on how different classes see taxation and are affected by it. A sound argument in favor of pro-life policies may have a valid structure and true premises, but it also might fail to provide us with the perspective of the phenomenological states of women who have undergone an abortion, women's rights, and women's emotional concerns for their unborn child. A sound argument in favor of an immigration policy that is free of any informal fallacies will have a variety of virtues, but it may not give us the perspectives of indigenous peoples that come from colonized states, or help us understand inequities of power between indigenous peoples and their colonizers.

Under a more expansive conception of critical thinking we should embrace the idea of individuals forming a *critical identity* and having a *point of view* that derives from adopting a *concern for specific values*. A critical identity embodies methods of reliable belief formation as a value, but it also involves a much larger system of valuation from which to value various states of affairs, such as a justice society.

Part of what constitutes our psychological self is the way in which we critically evaluate information and engage in evaluative exercises with others. The component of our psychological identity by which we engage in critical evaluation I refer to as our critical identity. An epistemic agent's critical identity is that particular mode of his psychological self through which the agent exercises critical thinking for the purposes of evaluating what to believe and how to help others choose what to believe. The notion that epistemic agents adopt and possess a critical identity as part of their psychological self requires the postulation of a plurality of critical identities that one can adopt.

Let CT refer to the general psychological kind of mode of engagement that is critical thinking, and let $Ct_1 \ldots Ct_n$ refer to the various subtypes that instantiate CT. The concept of critical thinking as a psychological kind of evaluative mode of rational agency is a functional concept. Instances of it in specific psychologies may share very little in common, although all will share in common a concern for critical evaluation through the application of a model of evaluation.

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Each Ct_i is constituted by three kinds of principles. *Substantive principles* regulate what can be evaluated. *Evaluative principles* regulate how what is to be evaluated is evaluated. *Regulatory principles* determine what norms of evaluation regulate exchanges of critical thinking. For example (simplifying greatly), first-order logic has as its substantive principle the aim of evaluating the logical consequence relation. In some cases it has as its evaluative principle that logical consequence will be evaluated in terms of natural deduction. It has as its regulatory norm of evaluation that invalid arguments are not to be accepted. Feminism has as its substantive principle the aim of evaluating the presuppositions and effects of various kinds of policy on women. It has many different kinds of evaluative principles, depending on what kind of feminist theory one is engaging with. In general, though, the evaluation is centered on illuminating how a specific policy or work is seen from the perspective of women and how it bears in various ways on the lives of women. It has as its regulatory norm of evaluation the adoption of policies that are in some specified sense equitable to men and women.

At a higher level of generality we may note that it is possible that two instances of CT, such as Ct_i and Ct_j, overlap in certain principles; and it is also possible that two instances of CT, such as Ct_n and Ct_m, share no principles in common. When an epistemic agent comes to adopt a critical identity, the agent adopts some subset of CT. The subset of CT that the agent adopts controls the agent's ability to critically engage with others, since it determines how and what is critically evaluated. Where a group of agents share the same critical identity, exchanges of critical thinking are, in general, easily understood, though disagreement is still possible; and where a group of agents share nonoverlapping critical identities, exchanges of critical thinking are, in general, not easily understood, though agreement is still possible. Most agents also adopt a subset of CT that includes metaprinciples that govern when and how one is to resolve disagreement between modes of critical thinking.

6. Epistemic Responsibility and Critical Thinking

This inquiry began with the question: Is critical thinking epistemically responsible? It is a question whose answer is important only relative to the understanding that one acquires in reflection on the question through critical thinking. The answer alone is of no real value. Moreover, individuals must engage in critical thinking about critical thinking and its role and value in society. The task of learning how to think critically is not complete until one has meta-critically thought about critical thinking. The answer that the central argument offers is valuable insofar as it offers one an opportunity to engage critically with the questions of how and why critical thinking is valuable. The conclusion of the argument is correct in

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a very limited set of cases, and incorrect insofar as Critical Thinking is a necessary condition for implementing Credulity. More importantly, the basis from which Huemer argues for the negative answer, I have argued, does not adequately illuminate the value of critical thinking and our epistemic responsibility to engage in it. I close here by addressing the engagement issue in a more expansive form.

Our epistemic responsibility to engage in critical thinking about controversial and publicly discussed issues derives from the nature of what we seek in rational decision making about public policy. If democratic institutions by their constitution seek the free assent of their citizens in making public policy, then it would appear that critical thinking on the part of each member of the deciding group is necessary for rational assent. To explain this I will use the terms "agreement" and "assent" in a technical sense to distinguish between two distinct ways in which belief acquisition about publicly debated and controversial issues can arise in the context of rational debate.

A dialectical engagement between members of a group deciding whether to believe P terminates in agreement on believing P when any of the following situations arise: coercion, such as when one arguer uses threat or force to gain agreement; involuntary adoption, such as when one party accidently or merely responds by accepting the position offered but fails to actually consider and entertain the propositions involved; misunderstanding of the argument, such as when one fails to understand the position in question, the issues at stake, or the structure of the argument itself.

A dialectical engagement between members of a group deciding whether to believe P terminates in assent on P when all individuals: (i) understand the conclusion and the premises of the argument, (ii) believe that the connection between the premises and the conclusion is good, and (iii) voluntarily believe the conclusion on the basis of the premises. Moreover, assent to a belief relative to an argument in a group occurs when each agent voluntarily chooses to believe a conclusion on the basis of the premises that their interlocutor offers.

Thus, if our goal in rational argumentation about public policy is to gain the assent of, rather than the agreement of, those we argue with, it is necessary that all members of the group engage in critical thinking in order to satisfy the constraint that they are assenting rather than merely agreeing. We seek assent because social cohesion with respect to belief is brought about through assent and not through agreement. Mere agreement brings about neither corroboration nor alignment of systems of belief, it only brings about adoption. Our epistemic responsibility to engage in critical thinking derives from the role of assent in rational argumentation about public policy, which itself requires the creation of a critical identity from which to engage in argumentation about public policy.

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