

## CHAPTER 15

## THE RULE OF EXPERTS

ROGER KOPPL

## INTRODUCTION

Anyone who is paid for his or her opinion is an expert. Experts “fail” when they produce incorrect opinions. Experts may threaten individual autonomy if they have power. A psychologist with the legal authority to commit persons to an institution is an expert with power. The risk of expert failure is greater when experts enjoy an epistemic monopoly and when they choose for others rather than merely advising them. The “rule of experts” exists when experts have an epistemic monopoly and choose for others. Even when the power of experts is limited or compromised, however, they may fail, and they may act in ways tending to reduce the autonomy of others.

Many writers have recognized problems with *experts*, however the term is defined. Some have found problems with psychologists (Szasz 1960), physicians (Berger and Luckmann 1966, 87–88), medical researchers (Berger, Matthews, and Grosch 2008; Ioannidis 2005), economists (Levy and Peart 2006), forensic scientists (Cole 2005; Pyrek 2007), expert witnesses in civil court (Huber 1993), and eugenicists (Peart and Levy 2005). Some have recognized problems with experts in general, such as a link between expertise and power (Foucault 1980) or a tension between expertise and democracy (Merton 1976; Habermas 1987; Turner 2001). It may still be true, however, that experts and expertise enjoy high prestige with most intellectuals and much of the general public. While expertise seems to be a necessary consequence of the division of labor, the existence of experts seems to create a problem of power.

The problem of experts is intractable, because the division of labor creates a division of knowledge, which entails specialized knowledge. Typically, though not necessarily, the expert is paid for his or her opinion because the expert has specialized knowledge. Typically, therefore, demand for the expert’s opinion will dissipate if his or her specialized knowledge becomes common knowledge or is no longer valued by others. It seems, then, that we will always have experts and that most experts will receive a rent on their expertise.

# The Rule Of Experts

**Biondi, Andrea, Sangiuolo, Giorgia**



## **The Rule Of Experts:**

**Rule of Experts** Timothy Mitchell,2009      **Rule of Experts** Timothy Mitchell,2002-11-18 Publisher Description

*Handbook on the Rule of Law* Christopher May,Adam Winchester,2018-08-31 The discussion of the norm of the rule of law has broken out of the confines of jurisprudence and is of growing interest to many non legal researchers A range of issues are explored in this volume that will help non specialists with an interest in the rule of law develop a nuanced understanding of its character and political implications It is explicitly aimed at those who know the rule of law is important and while having little legal background would like to know more about the norm      *A Pocket Code of the Rules of Evidence in Trials at Law* John Henry Wigmore,1910      **The EU and the Rule of Law in International Economic Relations**

Biondi, Andrea,Sanguolo, Giorgia,2021-10-22 This timely book explores the complexities of the EU s international economic relations in the context of its commitment to the rule of law both within the Union and internationally Bringing together diverse perspectives from both EU and international law scholars and practitioners the book investigates some of the most controversial and lively issues in the field of EU external relations and the relationship between EU law and international law

**Rules of Evidence** United States. Congress. House. Committee on the Judiciary. Special Subcommittee on Reform of Federal Criminal Laws,1973      **Rules of Evidence** United States. Congress. Senate. Committee on the Judiciary,1974

**The Judicature Acts and Rules of the Supreme Court, 1883. With Notes and Index** Frederic Philip Tomlinson,1883      Rules of Evidence (supplement) United States. Congress. House. Committee on the Judiciary. Subcommittee on Criminal Justice,1973      **American Federationist** ,1902      The World's Most Famous Court Trial, Tennessee Evolution Case National Book Company, Cincinnati,1925      **Federal Rules of Evidence in a Nutshell** Michael H. Graham,1981      *Proceedings of the Illinois State Bar Association* Illinois State Bar Association. Meeting,1889      **The American Decisions** ,1911      The Rules of Evidence - Steuart Henderson Britt,1940      The Law of Expert Testimony Henry Wade Rogers,1883      Federal Decisions United States. Courts,William G. Myer,1887      **The American Decisions** John Proffatt,Abraham Clark Freeman,1885      *Railway Surgical Journal* ,1904      **Federal Rules of Evidence and California Evidence Code 2003** David Sklansky,2003-06 A complement to David Sklansky s new Evidence Cases Commentary and Problems the statutory supplement provides complete text of the Federal Rules of Evidence along with Advisory Committee Notes and other pertinent legislative history complete text of the Federal Rules of Evidence rejected by Congress along with Advisory Committee Notes and other pertinent legislative history complete text of the California Evidence Code along with Law Revision Commission Comments and other pertinent legislative history Truth in Evidence amendments to the California Constitution along with a summary of their effect on California Evidence law

## **The Rule Of Experts** Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its capability to stir emotions, provoke thought, and instigate transformation is actually remarkable. This extraordinary book, aptly titled "**The Rule Of Experts**," written by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect our existence. Throughout this critique, we shall delve to the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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