

Virtue and arguers

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Abstract

Is a virtue approach in argumentation possible without committing the ad hominem fallacy? My answer is affirmative, provided that the object study of our theory is well delimited. My proposal is that a theory of argumentative virtue should not focus on argument appraisal, as has been assumed, but on those traits that make an individual achieve excellence in argumentative practices. An agent-based approach in argumentation should be developed, not in order to find better grounds for argument appraisal, but to gain insight into argumentative habits and excellence. This way we can benefit from what a virtue argumentation theory really has to offer.

1 Introduction

Virtue theories, characteristic of ancient ethics, such as Plato's, Aristotle's and the Stoics', are agent-based instead of act-based, they focus not on the moral value of every one of the actions performed by an individual, but instead on the character and traits of an individual that make him or her virtuous. Within this paradigm, the crucial question is not "What should I do in this situation?" but "What kind of person should I be?"

Virtue ethics was revived in the second half of the 20th century, attracting interest to the notion of virtue from within other fields than ethics. The most remarkable success is the case of virtue epistemology. Whereas up to the 20th century epistemology is generally characterised by the analysis of beliefs and the search for necessary and sufficient conditions for a belief to constitute knowledge, virtue epistemologists focus on the individual's intellectual and epistemic character. Arguably, several of the virtues proposed in virtue epistemology—such as *intellectual humility*, *intellectual perseverance* and, most relevantly, *fairness in argument evaluation* (Zagzebski 1996, p. 114)—are not just epistemic but also intellectual in a more general sense, and thus it should come as no surprise that this approach has eventually caught the attention of argumentation theorists. Two of the most notable proposals for a virtue argumentation theory come from Andrew Aberdein (2007, 2010, 2014) and Daniel Cohen (2007, 2009, 2013a, 2013b). Cohen has stressed the importance of the

social and ethical dimensions of argumentation and he has warned against the mistake of focusing too narrowly on arguments as products and arguing as a procedure. His idea of the “admirable conduct of arguers” involves much more than logic and dialectic, it “ought to stem from virtues, inculcated habits of mind” (2013a, p. 482). Aberdein, on the other hand, has addressed in detail an obvious objection that could be raised against a virtue approach to argumentation: would not any agent-based approach to argumentation commit the *ad hominem* fallacy?

In the present article, I will begin by explaining the *ad hominem* problem. My purpose, however, is not to discuss the details and offer a solution to this problem, but rather to analyse the assumptions behind the criticism and the implications of the solution offered. Ultimately, the aim of this article is to reject the assumption that a virtue theory of argumentation must focus on argument appraisal and cogency, and to propose that a virtue approach to argumentation should focus instead on the arguers’ attitude and behaviour. Section 2 will explain why an agent-based argument appraisal could be problematic, and in section 3 I will attempt to defend my proposal of a virtue theory of argumentation by showing why a virtuous argumentative behaviour could be as important as the quality of the arguments.

2 Could an agent-based appraisal of arguments be generalised?

What best characterises a virtue approach is probably the fact that it is agent-based. The main concern of every virtue theory is the traits or the character of the agent rather than his or her acts. Consequently, the agent’s virtues and vices are considered to be the basis on which to judge his or her acts. So suppose that a virtue theory for argument appraisal is adopted. That could mean that the cogency¹ of an argument would be judged on the basis of the merits of the arguer. It seems, then, that the theorists themselves run a risk of committing an *ad hominem* fallacy, evaluating arguments positively or negatively by paying attention solely to the person who has put them forward. The question then arises as to whether this problem would make the development of a virtue approach to argumentation a futile project.

Aberdein (2010) identifies several difficulties that a virtue approach to argumentation would have to tackle, one of which is the *ad hominem* criticism. He correctly argues that, although all *ad hominem* arguments were considered fallacious in the past, it is becoming more and more accepted among argumentation theorists that many instances of this type of argument are actually legitimate. How can we distinguish between legitimate and illegitimate instances of *ad hominem* arguments? Tracy Bowell and Justine Kingsbury (2013) answer

¹I will use the terms “cogent” and “cogency” throughout the article referring to the good quality of an argument according to the standards of informal logic; that is, an argument is cogent if it has *acceptable* premises, if the premises are *relevant* to the conclusion, and if the premises are *sufficient* or provide *good grounds* for the conclusion (see Govier (2010), p. 87)

this question by posing a challenge to virtue argumentation theory. They concede that, in certain circumstances, an individual's character may be relevant in deciding whether to believe what he or she says on the basis of his or her say-so, and thus that there are legitimate *ad hominem* arguments. But they claim that legitimate *ad hominem* arguments are those that provide reasons not to believe a *claim*, and that *ad hominem* arguments that provide reasons to reject an *argument* are never legitimate (p. 26).

In order to take into account that distinction between the two kinds of *ad hominem* arguments, Aberdeen presents a more fine-grained classification that includes five types of *ad hominem* arguments (2014, p. 80), two of which can be used to defeat another argument:²

ad hominem_R: Arguing that the arguer's character *rebut*s his argument. That is, facts about the arguer support the falsehood of the conclusion of the argument.

ad hominem_U: Arguing that the arguer's character *undercuts* his argument. That is, facts about the arguer are adduced in order to weaken the inferential step of the argument.

The evaluation of arguments involves mainly an evaluation of the inferential step, and not of the truth or falsehood of the conclusion. Therefore, Aberdeen has to prove that *not all ad hominem_U reasoning is fallacious* (2014, p. 81). In order to do that, he presents several examples of *ad hominem_U* reasoning that he regards as legitimate. Although I will not discuss here the examples that Aberdeen provides, note that all that he needs to do in order to prove that not all *ad hominem_U* reasoning is fallacious is to provide at least *one* legitimate instance of an *ad hominem_U* argument. That is, if at least one of the examples he provides is adequate, then Aberdeen's standpoint is correct.

Nevertheless, in this section my main concern is not whether or not Aberdeen's examples are instances of legitimate *ad hominem_U* arguments—although I certainly find it plausible that at least one of them is. Instead, I will focus on two problems for virtue argumentation theory that Bowell and Kingsbury's criticism and Aberdeen's response entail. The discussion of those problems will ultimately allow me to criticise some of the assumptions behind the debate about virtue argumentation theory and, in the next section, to propose a different framework. The virtue approach to argumentation that I propose in section 3 focuses on argumentative practices rather than on arguments, and therefore makes all the debate about *ad hominem_U* arguments irrelevant. The first problem that I will discuss concerns Aberdeen's attempt to prove that an agent-based approach to argument appraisal is possible, and why in my view it is insufficient; the second problem, the priority of the virtues in argument appraisal.

Concerning the first problem, we could ask, is Aberdeen's standpoint sufficient to vindicate a virtue approach to argument appraisal? Even if he has successfully proved that not all *ad hominem_U* reasoning is fallacious, that is

²The terms "rebut" and "undercut" are defined in Pollock (1992, p. 4).

insufficient to prove that a complete and systematic virtue theory of argument appraisal can be developed. If we expect virtue argumentation theory to be able to systematically do the job of argument appraisal, then showing that *at least sometimes* virtue argumentation theory can evaluate an argument is not enough. What is needed is to show that there is a legitimate way to generalise an agent-based method of appraising arguments. Only this way could we counter Howell and Kingsbury's criticism that "virtue argumentation theory does not offer a plausible alternative to a more standard agent-neutral account of good argument" (2013, p. 23).

However, is an alternative to informal logic really what Aberdein proposes? Perhaps that is not the case. Although he is not explicit on this point, he does state that virtue theory "can also be a fruitful methodology for (informal) logic" (2010, p. 167). Hence, Aberdein's proposal could actually be that we should use an agent-based approach *together with* the traditional act-based criteria of informal logic as a way of enriching our current theories of argument appraisal. This, though, seems a rather unambitious project and a very limited conception of a virtue argumentation theory, as a mere complement to informal logic. This is not intended as a criticism of Aberdein's proposal, but rather as encouragement to develop a complete virtue theory of argumentation. While, as we will see in the remainder of this section, such a project entails considerable difficulties, I believe it is worthwhile, and all we need to do is to abandon certain assumptions in order to make it possible. Specifically, as will be clear by the end of this section, I propose that we should not expect a virtue approach to argumentation to give us cogency. But, first, let us look at the second problem, which will help in understanding my proposal.

An explanation of the second problem requires more detail. It arises out of one of the examples that Aberdein presents. Again, the following remarks are not intended to criticise Aberdein's position—after all, I am commenting on only one of his several examples—but to recommend that we be careful about our assumptions regarding virtue argumentation theory and the examples we offer. Aberdein (2014, pp. 86-87) mentions Scott Aaronson's article *Ten signs a claimed mathematical breakthrough is wrong* (2008), where Aaronson provides a list of ten clues, some of which point to the author's vices, which indicate that an alleged solution to a "famous decades-old math problem" is wrong. These signs, Aaronson says, help him decide "whether to spend time on a paper." The signs are found in the conduct of the authors of the papers, not in their arguments themselves, and they range from "The authors don't use TeX" to "The paper doesn't build on (or in some cases even refer to) any previous work."

The problem with this example is that those are actually *heuristics*, facts about the author that make it *more likely* that his or her arguments are wrong. In this sense, even though they might illustrate a legitimate agent-based appraisal of arguments, Aaronson admits that it is an act-based evaluation which ultimately determines the validity of the argument: "If a paper fails one or more tests [...] that doesn't necessarily mean it's wrong; conversely, if it passes all ten that still doesn't mean it's right." Aaronson follows that guide just for practical reasons: "If I read all such papers, then I wouldn't have time for anything else."

While this fact does not necessarily make an agent-based appraisal of arguments illegitimate, it might pose an important problem for a virtue approach to argumentation in which the qualities of the arguer are intended to be *conceptually prior* to the qualities of the argument. For, if facts about the arguer are simply signs that make it likely that the argument is wrong, how could the former explain the latter? Let me explain this point in detail.

Virtue theories—or, as we will see, some of them—seek to explain or define the qualities of acts on the basis of the qualities of the agents. That is what we will call the *conceptual priority thesis*, according to which the virtues of the agent are basic and the goodness of the acts are explained in terms of those virtues. Aberdein seems to endorse this thesis when he claims (2010, p. 170):

In the case of argument, this [virtue approach] would mean that virtues were qualities of the arguer, rather than of his arguments. Of course, it is entirely reasonable to speak of the ‘virtues of an argument’, and we could take *these* virtues as primitive instead. In that case, we could still talk of virtuous arguers, by defining their virtues in terms of the virtues of their arguments, making the virtuous arguer one disposed to advance or accept virtuous arguments. However, the virtue talk in this approach would be wholly ornamental, since the ‘virtues of an argument’ could presumably be cashed out in terms of more familiar forms of argument appraisal. Hence, if a virtue theory of argumentation is to do any work, it must be agent-based.

Aberdein (2014, p. 88) also says that “virtue theorists are not prevented from addressing acts just because they understand agent-based appraisal as conceptually prior to act-based appraisal.” So, presumably, Aberdein himself holds the conceptual priority thesis. Daniel Cohen seems to defend this thesis as well (2013*b*, p. 482):

Virtue Argumentation Theory zeroes in on the conduct of the arguers, rather than on propositions, rules, inferences, procedures, or even outcomes, as the heart of argument evaluation. Everything else branches off from there.

I agree with Aberdein that characterising the virtuous arguer in terms of the goodness—or virtues—of his or her arguments empties the concept of virtue of its essence. Therefore, we have two options: either the goodness of the argument is explained by the virtues of the arguer, or the virtues of the arguer are independent of (not definable by) the goodness of the argument. Linda Zagzebski (1996, p. 16) takes those two possibilities into account with her distinction between what she calls *weak* and *pure* virtue theories. By a pure virtue theory she means a theory that derives act evaluation from the more fundamental notions of an agent’s virtues and vices. In contrast, a weak virtue theory does not infer the correctness of an act from an agent’s virtues or vices: “They focus on the agent and her traits as a way of determining what is right but

do not maintain that what is right is right because it is what a virtuous person would do.” A weak virtue theory of argumentation, then, could define virtues as qualities of the arguer, not reducible to the qualities of the arguments he or she puts forward, but still acknowledge the existence of independent criteria for the evaluation of arguments.

As we have seen in the quotations above, both Aberdein and Cohen appear to defend the first option—a pure virtue theory of argumentation, which includes the conceptual priority thesis. But here is where examples like Aaronson’s list turn out to be problematic. Aaronson explicitly presents his list as enumerating *signs* that indicate that it is *likely* that the arguments in a paper are wrong. That is, he uses arguments from sign—from qualities of the arguer to qualities of the argument.³ If an author does not use TeX or does not refer to any previous work, for instance, these are reasons from which one could infer the presumptive conclusion that the mathematical proof is wrong. However, as Douglas Walton (2006, p. 114) points out: “Quite often, argument from sign is a weak form of argument that cannot be relied on uncritically.” Of course, arguments from sign can sometimes provide strong reasons for the conclusion, but admittedly the example of Aaronson’s list involves a rather weak argument from sign—that is why he calls them *heuristics*. On the other hand, if Aaronson could read all the papers he receives and evaluate them according to act-based standards, his judgements would be much more definite. Hence, it seems that what agent-based standards can offer in this case is not preferable to what traditional act-based standards can provide.

I believe this point is acknowledged by most theorists. Thus, for example, the virtue epistemologist Heather Battaly (2010) holds that the speaker’s intellectual character is relevant for argument appraisal because “arguments that result from intellectual vices are not *likely* to be valid (if deductive) or strong (if inductive), are not likely to produce true conclusions” (p. 362). Nevertheless, she adds (p. 367):

Legitimate ad hominem merely conclude that we should not believe what the speaker says *solely* on her say-so. The speaker’s arguments should still be evaluated on their logical merits. After all, speakers who have bad intellectual character might still produce sound arguments.

The example of Aaronson’s list illustrates the implications of Battaly’s remarks: in that case, an agent-based appraisal is not as accurate as an act-based appraisal. In my view, this fact poses a challenge to the conceptual priority thesis. Moreover, even if we assumed that Aaronson’s heuristics were accurate, note that they are completely uninformative as to what exactly might be wrong with the argument. The fact that the authors do not refer to previous work or that they do not use TeX might somehow indicate that their proof is likely to be wrong, but tells us nothing about the concrete flaws of the proof—surely the proof is not wrong because the authors do not use TeX. Thus, since an

³I must thank an anonymous reviewer for this observation.

agent-based appraisal seems to be less accurate and less informative, it is hard to see how the qualities of the arguer could explain or define the qualities of the argument.

Remember, however, that I am limiting my analysis to one of the examples provided by Aberdein. Admittedly, he presents other examples that do not rely on arguments from sign. Why, then, have I drawn rather broad conclusions from that single example? Even though it was based only on the case of Aaronson's list, I believe my discussion points to a serious threat for a virtue approach to argument appraisal. The first problem I discussed concerned the need to show how an agent-based appraisal of arguments can be generalised, rather than how agent-based standards turn out to be relevant in particular instances. And perhaps the most natural way to generalise an agent-based appraisal of arguments is precisely to take argumentative virtues and vices as indications that the argument is probably wrong. This seems to be Battaly's view, quoted above. Although Aberdein does not explicitly state his view on this point, there are reasons—beyond his use of the example of Aaronson's list—to suspect that he might have a similar move in mind.⁴ For example, when he discusses the legitimacy of *ad hominem* (or ethotic) arguments, he proposes that virtue argumentation theory provide the criteria for distinguishing between legitimate and illegitimate *ad hominem* arguments (2010, p. 171):

Virtue theory may contribute a simple solution: negative ethotic argument is a legitimate move precisely when it is used to draw attention to argumentational vice. (Similarly, positive ethotic argument would be legitimate precisely when it referred to argumentational virtue.)

On that basis, I believe it is too easy to fall into the trap of considering argumentative virtues and vices as signs that indicate that an argument is likely to be wrong. I have warned against that strategy because it would yield a method of argument appraisal that is less accurate and less informative than a traditional act-based method—and therefore it would make it very difficult to hold the conceptual priority thesis. But, actually, if we exclude that move, I cannot see how an agent-based appraisal of arguments can be generalised—rather than used in particular, special cases. The good news, however, is that we do not need to actually do that. Virtue argumentation theory *does not need* to be a theory of argument appraisal.

Recently, Fabio Paglieri (2015) has provided an insightful analysis of the discussion about the feasibility of a virtue approach to argumentation. According to Paglieri, Howell and Kingsbury's criticism that virtue argumentation theory cannot provide standards of cogency is actually misguided, for the motivation

⁴Another example that Aberdein presents and that might turn out to be equally problematic is the criticism of intelligent design theorists (Aberdein 2014, p. 87). Aberdein highlights the fact that ID theorists ignore relevant work and evidence, and hence display argumentative vice. But, as an anonymous reviewer pointed out to me, it is *the evidence itself* that undermines their arguments, not their argumentative vices. The fact that they ignore relevant work and evidence simply makes it more likely that their arguments are wrong.

for developing a virtue approach to argumentation arises out of a dissatisfaction with the narrowness of the concept of cogency itself (p. 73): “Why should anyone want to belabour on a fairly rich and complex theory of virtues, and then tie that theory to a definition of quality which is extremely narrow and pays only minimal attention to extra-textual features?” Thus, I believe Paglieri accurately detects the key problem with the debate between Bowell and Kingsbury and Andrew Aberdein (p. 81):

By insisting on cogency as key in argument evaluation, Bowell and Kingsbury (2013) focused attention on something which holds relatively little interest for the general rationale and purposes of VAT [virtue argumentation theory]; in turn, by taking up their challenge and dealing with it, it could be said that Aberdein (2014) allowed the debate on VAT to be momentarily derailed towards matters that are, at best, tangential to it.

Paglieri explains that virtue argumentation theorists may adopt various stances on the issue of cogency; what all of them have in common is the view that *cogency is not sufficient* for argument quality (p. 71): “The virtue theorist thinks that what makes an argument good *cannot just be cogency*.” Beyond that, one may also deny that cogency is necessary for argument quality—being *radical*, in Paglieri’s terms—or admit that it is necessary—being *moderate*. I do not think that strong reasons have been given to reject the necessity of cogency altogether, yet in this section I have explained my concerns about the attempt to appraise arguments in terms of argumentative virtues and vices. Hence, the stance I intend to defend is what Paglieri calls the *modest moderate* (p. 77):

Modest moderate VAT: cogency is necessary, albeit not sufficient, for argument quality, and moreover it is an aspect of quality that does not require considerations of character to be established.

Using Zagzebski’s terms, I would call it a *partially weak* virtue theory, given that the evaluation of the act is not completely based on the qualities of the arguer. Notice, however, that, if one believes that cogency is not the whole story of argument evaluation—as I certainly do—then it is possible to explain another part of the story by means of a *pure* virtue theory. Virtue argumentation theory, then, could focus not on what a cogent argument is, but on how arguers behave and what they do with their arguments—in my view, a neglected dimension of argumentation. While conceding that putting forward cogent arguments is part of what makes a virtuous arguer, and that an act-based approach is more apt for explaining cogency, virtue argumentation theory could at the same time hold that the arguers’ attitude is also an important component of argumentative discussions, and that *this* component *can* be explained by a pure virtue theory. In the following section, I will elaborate on this and I will attempt to show why we should be interested in such a virtue approach to argumentation.

3 The value of a virtue approach to argumentation

If it has been assumed—in my view, mistakenly—that a virtue approach to argumentation should deal with argument appraisal, this has probably been due to the fact that arguing well and putting forward cogent arguments are often conflated. Bowell and Kingsbury, for example, define good argument as follows (2013, p. 23):

A good argument is an argument that provides, via its premises, sufficient justification for believing its conclusion to be true or highly probable, or for accepting that the course of action it advises is one that certainly or highly probably should be taken. This account of good argument has both logical and epistemic elements.

And then they explicitly state: “we think that what makes it the case that an arguer has argued well is that they have presented an argument that is good in the sense described in the previous paragraph.” Obviously, if I endorsed this characterisation of arguing well, my arguments in the previous section should be understood as opposing the project of virtue argumentation theory. But actually this strikes me as a very narrow characterisation of the practice of arguing. Arguing well involves much more than putting forward good arguments, and therefore, in spite of the inadequacy of virtue argumentation theory as a theory of argument appraisal, it could be a valuable theory of *argumentative practice*.

Aberdein explicitly acknowledges that argument appraisal might not be the most appropriate task for a virtue approach to argumentation when he says that “(rhetorical or dialectical) accounts of argument evaluation” are “most congenial to a virtue-theoretic approach” (2014, p. 78, note 1). Other authors have also pointed out the importance of the arguers’ character in argumentative practice. Thus, Ralph Johnson says (2000, p. 14):

We find that the practice of argumentation also places demands on character; that is, the rules that govern the arguer and his behavior are such that for the arguer to satisfy them, certain character traits appear to be necessary.

Eemeren and Grootendorst also state that the arguers’ character is an important factor in the correct development of a reasonable discussion (2004, pp. 187-189). They explain that their norms of a critical discussion are “first-order conditions,” and that there are “second-order’ conditions relating to the state of mind the discussants are assumed to be in” and their attitude. They conclude (p. 189): “Only if these higher order conditions are satisfied can critical reasonableness be fully realized in practice.”

Thus, although the arguers’ character and attitude have been recognised as important factors that influence the way an argumentative discussion is carried out in practice, argumentation theorists tend to focus instead on the evaluation

of arguments and on procedural rules. This is a gap that a virtue approach to argumentation could fill. The insights that virtue argumentation theory could provide, then, are not into how to present good arguments and how to assess the arguments of others, but into how arguments *are used* and how we *behave* in discussions.

In the previous section I have warned against grounding the standards of informal logic in the virtues of the arguer, so I am willing to concede that virtue argumentation theory cannot be an integral and exhaustive theory of argumentation. However, neither is informal logic, for—as I intend to show in this section—there is more to argumentation than cogency. Virtue argumentation theory could be in a better position than informal logic to explain what it is to display lack of bias, open-mindedness, or intellectual humility, for example, and these are arguably crucial aspects of argumentation. Thus, it seems that both approaches—as well as, undoubtedly, rhetoric and dialectic—need each other.

In this sense, the approach that I advocate could be considered a weak virtue theory in Zagzebski's terms. The cogency of the argument can still be established by a traditional act-based approach—presumably, informal logic. But from the point of view of virtue argumentation theory, which focuses on argumentation as a practice rather than on arguments as products, the quality of the arguers' interventions is not limited to the cogency of their arguments. A cogent argument can be used viciously—the arguer can present it aggressively, for example, or be biased. Informal logic provides an excellent set of skills, but as Cohen says (2013b, p. 16): “Not every skill is a virtue; skillful arguers can be quite vicious!”

Yet, the question remains, if act-based approaches can already tell us what arguments are cogent and convincing, why should we be interested in the way arguers behave and use those arguments? My aim in this section is to show why our attitude in argumentative settings matters—provided that, while conceding that argumentation is a means of “resolving a difference of opinion” (Eemeren & Grootendorst 2004, p. 52) and of propagating truth (Aberdein 2010, p. 173), we understand that argumentation is also a communicative activity with social and ethical dimensions. The most conspicuous way to show this is to present cases in which the norms and criteria of both informal logic and pragma-dialectics are respected but where there is still something wrong in the interaction. Let us see some examples.

George Tsai (2014) has argued convincingly that rational persuasion, understood as “the activity of offering reasons, evidence, or arguments to another person” (p. 78), does not exclude an objectionable paternalistic behaviour. In fact, even if one uses arguments that are cogent, the mere act of putting them forward could amount to paternalistic behaviour if, by offering reasons that are easily accessible to the listener, or by offering them before the listener has had enough time to consider the question, one conveys a sense of distrust in that listener's capacities. Whether an act of presenting arguments constitutes paternalistic behaviour does not depend on qualities of the argument itself, but on why, when and how the argument is presented. Specifically, rational persuasion is paternalistic if it is motivated by distrust in the listener's capacity to recog-

nise the relevant reasons, if it conveys that the listener is incapable of figuring out those reasons, and if it occludes an opportunity for the listener to assess them (p. 97). Consider the following, rather extreme but compelling example that Tsai presents (p. 103):

Suppose that a group of us are at a restaurant, including you and your long-term boyfriend. Your boyfriend surprises everyone by proposing to you. It seems that it would be disrespectful for one of the witnesses at the table to lean over and advise you to reject, on the grounds, say, that you should not “settle.”

The witness’ advice might be very well supported by cogent arguments, but it seems obvious that it is inappropriate to give advice on such a personal matter and in that situation. What is lacking here is a virtuous sensitivity to the situation, as Tsai concludes (p. 111): “judging well whether and how one can offer another person reasons respectfully is an art, or a kind of wisdom, a virtue one can develop.” This is actually one of the benefits that Daniel Cohen envisages for a virtue approach to argumentation (2007, p. 1):

I believe this kind of re-orientation can help answer a cluster of outstanding questions for argumentation theorists: when, with whom, about what, and, above all, why should we argue. And, as a corollary but of no less importance, it can help us answer when, with whom, about what, and why we should not argue.

In our next example, the problem is not the timing but the way the protagonist argues. To me, this is a very illustrative example of the difference between being skilful and being virtuous. It is a dialogue taken from the 2005 film *Thank you for smoking*:

Child: My Mommy says smoking kills.
Nick Naylor: Oh, is your Mommy a doctor?
Child: No.
Nick Naylor: A scientific researcher of some kind?
Child: No.
Nick Naylor: Well, then she’s hardly a credible expert, is she?

To my mind, the only objection that informal logic could raise to Naylor’s interventions is that he assumes that the child is putting forward an implicit argument, while this could actually not be the case.⁵ All the child explicitly states is that her mother says that smoking kills, and this is not necessarily an argument from authority. However, I find it more plausible to consider the child’s statement as an implicit argument, for otherwise it is difficult to see how it is relevant to the conversation—taking into account the context, which is a speech about Naylor’s job in a tobacco company, not about the child’s mother.

⁵I owe this observation to Cristina Corredor.

Assuming, then, that the child presents an argument, it is admittedly very weak. She appeals to her mother's authority to support the claim that smoking causes death, but—as Naylor's enquiry makes manifest—her mother is not an expert in that field. Naylor's critical questions show the weakness of the child's argument, succeeding in undercutting it. This example shows that Nick Naylor is no doubt a skilful arguer and knows how to apply the evaluative criteria of informal logic. The questions he asks correspond to one of the critical questions proposed by Douglas Walton (2006, p. 88) to evaluate appeals to expert opinion, the field question: "Is *E* an expert in the field that *A* [the claim] is in?"

Notice that, had Naylor argued that smoking does *not* cause death, then his arguments would probably fail to fulfil the conditions for cogency, for he does not take into account the overwhelming amount of evidence that shows that smoking kills and that therefore would undermine his arguments—and this fact could be considered either a lack of *sufficiency* or a failure in the *dialectical tier* (Johnson 2000). But here Naylor is not presenting a counter-argument, he is merely objecting to the child's argument, undermining its strength by means of critical questions, without defending any standpoint whatsoever. This becomes apparent in the continuation of the dialogue:

Child: So, cigarettes are good for you?

Teacher: No!

Nick Naylor: No, that's not what I'm getting at. My point is that you have to think for yourself.

Critical questions, like the ones Naylor uses, are not a way to defend the opposite standpoint, but simply to call the argument into question or to criticise it. That is, successful critical questions do not *rebut* the argument, they only *undercut* it. As Walton explains (2006, p. 27, my emphasis):

Thus there are two basic ways to attack an argument. One is to present a rebuttal or counter-argument, a comparatively strong form of attack. The other is to ask questions that raise doubts about the argument but *not going so far as to rebut it by putting forward a counter-argument*.

We must conclude, then, that Naylor is making a good use of critical questions, skilfully showing that the child's argument is very weak without committing himself to any claim. Pragma-dialectics could not object to Naylor's intervention either, for he does not violate any of the norms for a critical discussion nor any of the "ten commandments" for reasonable discussants (Eemeren & Grootendorst 2004). Neither can he be accused of being dishonest or insincere (*Ibid.*, pp. 76-77) since, as has been argued, simply asking critical questions does not commit him to the opposite claim. I would like to emphasise though that I do not consider these remarks as pointing to a flaw in these theories—they are designed for a specific purpose, which is not my present one—but as showing that they do not explain all there is to argumentation.

Can we say that Naylor is arguing *virtuously*? Certainly not. Firstly, a child of such an early age cannot be expected to produce arguments and to provide reasons that are as good as those an adult would present. The source of much information and many ethical rules for a child is inevitably his or her parents, but this fact cannot imply that children systematically use fallacious *ad verecundiam* reasoning. Moreover, the child is too young to understand that Naylor's response merely means that, although she has a point, her argument should be improved, and as a result there is a real risk that Naylor's critical questions undermine the child's confidence in the belief that smoking kills. For all these reasons, Naylor displays a complete lack of *intellectual empathy*, understood as the willingness to "put oneself in the place of others in order to genuinely understand them" (Paul 1993, p. 261) and in order to adjust one's argumentation to the other's motives, beliefs, and capacities. In this case, the problem is that Naylor is completely ignoring the fact that he is arguing with a young child, treating her as though she was a mature and informed adult. In ideal argumentative models it is commonly assumed that all arguers operate on an equal level—they have similar capacities, knowledge, and so forth—but in the real world that is often not the case, and a virtuous arguer should take all contextually relevant differences into account.

Secondly, Naylor surely knows that there is a considerable amount of evidence which supports the child's standpoint ("Smoking kills"), but he chooses not to mention it and takes advantage of the weakness of the child's argument. He knows that smoking kills, but focuses on undercutting the child's argument. This attitude reveals a lack of *intellectual good faith* or *integrity*, understood as "the need to be true to one's own thinking" (*Ibid.*, p. 262). And, finally, in relation to that, perhaps we could consider the virtue of *cooperativeness* in argumentation, whose absence in this case makes Naylor focus on winning and prevents him from pointing out to the child that there are much better arguments than the one she produced that support her position.

Informal logic and pragma-dialectics, two of the main current approaches in argumentation, have doubtless provided many important insights from their respective points of view. A discussion in which the arguers put forward cogent arguments—arguments that fulfil the conditions of acceptability, relevance and sufficiency—in which the arguers ask relevant critical questions, and in which the arguers follow the rules for a reasonable discussion, is certainly a desirable argument. What the preceding example shows, however, is that this is not the whole story. There is more to argumentation than cogency and procedural rules—as important as they are. Notice, then, that the kind of virtue argumentation theory I am proposing is not designed to evaluate arguments. Surely Naylor's objection that the child's mother is not a credible expert is justified and the child's argument is indeed weak, according to the standards of informal logic. My analysis, however, focuses on Naylor's behaviour, on how he uses his objections. Saying that someone's behaviour is not virtuous does not entail that we should reject his or her arguments, nor even that his or her arguments are not convincing; it only means that the arguer could have done better—he or she could have been more empathetic, honest, cooperative, reasonable, critical,

or unbiased, for example.

My proposal, then, is that virtue argumentation theory should *not* be conceived of as a theory of argument appraisal. If one is presented with an argument that is cogent according to the standards of informal logic, then (as a general rule) one has all the reason to accept it regardless of the arguer's character.⁶ In fact, I believe that the value of a virtue approach to argumentation does not lie in the evaluation of others' behaviour so much as in the fostering of argumentative virtues in education. I envisage it as a theory that one should apply primarily to oneself—as a therapy in the Stoic sense, if you will. Perhaps the kind of virtue argumentation theory I am proposing will not give solid definitions and criteria to the theorist, but its value is actually pedagogic.

I will conclude with two examples by way of illustration. The first one, while not being a complete theory, is the only genuine agent-based approach to argumentation that I have found, and the second one has an obvious pedagogic purpose.

Wayne Brockriede (1972) used a peculiar analogy when he proposed a classification of arguers into three types. Although Brockriede's paper contains suggestions and advice rather than a systematic theory, what makes his metaphor a good example of an agent-based approach to argumentation is that he classified arguers according, not to the kind of arguments they put forward, but to their behaviour. The three kinds of arguers are:

The *rapist*: He wants to maintain a position of superiority. His main goal is to force assent, to conquer by the force of the argument.

The *seducer*: He operates through charm or deceit. The seducer tries to charm his victim into assent by using tricks and fallacies.

The *lover*: He acknowledges the other person as a person and wants power parity. The lover asks for free assent and criticism, and he is willing to risk his very self in the discussion.

We do not need to discuss the details of Brockriede's classification—not to mention the strong language. The relevant point here is that Brockriede did not refer to the kind of arguments each kind of arguer puts forward, but to the attitude with which they engage in argumentation: whether they treat the other as a peer or as an inferior being, whether or not they are willing to accept criticism—even to ask for it—and question their core beliefs, whether they see the practice of argumentation as an opportunity to grow or as an opportunity to conquer. Interestingly, Brockriede claimed (p. 1):

I maintain that the nature of the people who argue, in all their humanness, is itself an inherent variable in understanding, evaluating, and predicting the processes and outcomes of an argument.

⁶I believe that Aberdein (2014) is right and *sometimes* the arguer's character might be relevant when assessing an argument, but I also believe that *in general* this is not the case.

My second example is much more recent. *Arguing with people* (Gilbert 2014) is a brief handbook addressed to people that already have basic notions of critical thinking, and which intends to explain how to use that skill in a constructive and cooperative way. Although he does not use the term “virtues,” Gilbert does present some characteristics that describe the *ideal arguer* (p. 94): he or she is reasonable, not dogmatic, a good listener and empathetic. The whole handbook is intended, not to judge our interlocutors’ behaviour, but to improve *our own* argumentative practices and attitudes—one of Gilbert’s proposals is the *golden rule of argumentation* (p. 95): “Argue with someone as you would want to be argued with.” The theory behind such pedagogic efforts—which Gilbert himself developed in *Coalescent argumentation* (1997)—is part of what a virtue approach to argumentation could be.

4 Conclusion

As Fabio Paglieri (2015) points out, it has been assumed in the debate on the feasibility of a virtue theory of argumentation that such a theory should have to deal with cogency, while that is not necessarily the case. Actually, if our only concern is cogency, virtue argumentation theory will be of little use to us. As I have tried to show in section 2, a virtue approach to argument appraisal is liable to provide weaker and uninformative evaluations of arguments. Paglieri ends his article with the following advice (p. 85): “If you are a cogency buff, probably you will not find much satisfaction in VAT—*live with it!*” I believe he is completely right.

My suggestion, then, is that we should abandon the assumption that virtue argumentation theory would be a theory of argument appraisal. Arguing well involves much more than simply putting forward good arguments, for cogency in arguments does not exclude bias, dogmatism, or aggressiveness—to mention but a few vices. Argument appraisal is doubtless an important task, but I hope our concerns about issues like the criteria of cogency or the identification of fallacies will not prevent us from appreciating that there is much more to argumentation—as a *practice*—than that. As some theorists have pointed out, the outcome of every argumentative discussion depends on the arguers’ character and attitude as well. Daniel Cohen insists that “arguing well requires good arguers” (2013a, p. 482). Although this might seem like a truism, it embodies the spirit of a virtue approach to argumentation.

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