

ISSA Proceedings 2014 - What Could Virtue Contribute To Argumentation?

Abstract: In this paper[i] I argue that a virtue approach to argumentation would not commit the ad hominem fallacy provided that the object study of our theory is well delimited. A theory of argumentative virtue should not focus on argument appraisal, but on those traits that make an individual achieve excellence in argumentative practices. Within this framework, argumentation theory could study argumentative behaviour in a broader sense, especially from an ethical point of view.

Keywords: ad hominem, arguers, ethics, informal logic, pragma-dialectics, virtue.

1. Introduction

A virtue approach, characteristic of ancient ethical theories, such as Plato's, Aristotle's and the Stoics', is agent-based instead of act-based; it does not assess the moral value of isolated actions performed by an individual, but focuses instead on the character and traits of an individual that make her either virtuous or vicious. 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 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. Arguably, several of the virtues proposed in virtue epistemology - such as *intellectual humility*, *intellectual perseverance* and, most conspicuously, *fairness in argument evaluation* (Zagzebski, 1996, p. 114) - are not only epistemic but also intellectual in a broad sense, and thus it should come as no surprise that this approach has finally caught the attention of argumentation theorists.

The idea of developing a virtue approach to argumentation was proposed by Andrew Aberdein (2014, 2010, 2007) and Daniel Cohen (2013, 2009). 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” (2013, 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 appraisal of argumentation commit the *ad hominem* fallacy?

In this paper I argue that the discussion about whether a virtue approach to argumentation could deal appropriately with *argument* appraisal is misleading. As I will show, the discussion misses the point of what a virtue approach really has to offer. A virtue approach should consider the importance of arguers themselves. In my view, a virtue argumentation theory could provide us important insights only insofar as we stop focusing narrowly on arguments. I will argue that a virtue approach to argumentation is not only possible but also desirable, provided that we have a clear understanding of what it involves.

2. *What's the point of a virtue approach?*

When Aberdein (2010) proposed the development of a virtue theory of argumentation, he identified several difficulties that such an approach would have to tackle. A major problem is the accusation that a virtue approach to argumentation would commit the *ad hominem* fallacy. A virtue approach to argumentation would involve the assessment of arguments on the basis of the arguer's traits, and that sounds pretty much like the definition of *ad hominem* argument. The question, then, has been whether the appraisal provided by a virtue argumentation theory would be an instance of legitimate or illegitimate *ad hominem*.

Aberdein correctly argues that, although in the past all *ad hominem* arguments were considered fallacious without distinction, most argumentation theorists accept nowadays that many instances of this kind of argument are actually legitimate. How could we distinguish between those instances of *ad hominem* argument that are legitimate and those that are not? The answer, according to Aberdein, is provided precisely by virtue argumentation theory (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.)

Ethotic arguments – that is, ad hominem arguments, those whose reasons refer to the *ethos* of the arguer – are therefore legitimate provided that they point to the arguer’s argumentational virtues and vices. This seems like a plausible solution. However, this view has been challenged by Tracy Bowell and Justine Kingsbury (2013). They concede that, in certain circumstances, an individual’s character may be relevant in deciding whether to believe what he says, and thus that there are legitimate ad hominem arguments. But they point out 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).

Bowell and Kingsbury’s criticism draws our attention to an important distinction. It explains why the ad hominem problem appears to be such a great obstacle to developing a virtue approach to argumentation, whereas it has not been so for virtue ethics and virtue epistemology. Two levels can be differentiated in which ad hominem arguments may take place.**[ii]** In the first level, which we could call *practical* or *argumentative*, an arguer puts forward an ad hominem argument in order to support or undermine the acceptability of a claim; that is, an individual argues for or against a given standpoint. In the second level, which can be called *theoretical* or *meta-argumentative* – although not only theorists but also the arguers themselves may operate in this level – the ad hominem argument is used for the purpose of showing the soundness or unsoundness of another argument.

Admittedly, argumentation theorists who argue for the legitimacy of (at least a subset of) ad hominem arguments tend to focus on those arguments that aim to undermine the credibility of witnesses or experts in order to show that their claims should not be believed *merely* because they say so. But, as Bowell and Kingsbury say (p. 26):

Legitimate ad hominem arguments provide reasons to doubt the truth of a claim on the basis of facts about the person making it. It is commonly supposed that it is never reasonable to reject an argument on the basis of such facts, however.

Nonetheless, Aberdein (2014) presents several examples of arguments in which facts about the arguer are used as reasons to doubt the soundness of other arguments, and that are arguable legitimate instances of ad hominem arguments. I will not discuss those examples here. The overview given above of the debate about the legitimacy of a virtue approach to argumentation suffices, for my

purpose here is to argue that the terms of this debate are misleading. The kind of virtue approach to argumentation that is assumed in this discussion is not, in my view, what we should seek.

I regard virtue approaches as having the agent – his or her character – not only as its grounds or basis, but also as its *main interest*. We could gain some insight into this question by taking a look at other virtue approaches. Virtue ethics has provided a greater insight into the nature of character, virtue, and education, than into which actions are right and which ones are wrong. As for virtue epistemology, although it has admittedly provided a certain kind of analysis of knowledge and beliefs, it is the subject's epistemic virtues the area on which it has actually cast light. Hence, why not take an interest also in arguers themselves? This is the motivation that, in my view, should lead to a virtue approach to argumentation. Virtue argumentation theory should be a *theory of arguers*.

Bowell and Kingsbury argue that “virtue argumentation theory does not offer a plausible alternative to a more standard agent-neutral account of good argument” (2013, p. 23). They may be right; the appraisal of arguments and the study of the soundness of arguments may well be a task which is most accurately and efficiently performed by act-based theories. I agree with Aberdein that there are some instances of ad hominem arguments – meta-argumentative, or arguments of the kind that provide reasons to believe that another argument is unsound – that are legitimate. However, the examples provided by Aberdein still leave us very little ground for a virtue theory of argumentation. It seems that we do not have at our disposal the theoretical resources which are necessary for the development of a complete virtue theory of the soundness of arguments.

A virtue approach, therefore, might be of little use for assessing the soundness of arguments. However, in my view, that is not the appropriate task for a virtue theory of argumentation. As I envisage it, a virtue approach would have many more benefits, of which the appraisal of arguments is probably the least significant. If we move from our current focus on arguments to an interest in arguers, this would have the benefit of allowing us to undertake a broader and richer study of argumentation. As I will show in the next section, such study could provide important ethical and educational insights for argumentation theory.

3. Argumentation in a broad sense: ethical insights

We, as arguers, produce much more than just arguments understood as logical-epistemic units. There is much more to assess than merely the soundness of arguments. When we argue, we communicate in a certain way, we use some words and not others, we are respectful or disrespectful, we are willing to change our mind or stubbornly protect our beliefs, we make our interlocutor feel free to express herself or we intimidate her. Furthermore, we can argue too much or too little, at an opportune or at an inopportune moment.

All these are examples of behaviours that take place in the context of argumentative discussions and *depend on the arguer's character*. These are precisely the kind of issues that a virtue theory of argumentation could (and should) address. The study of argumentation is not just about soundness, and argumentation is not merely a way to propagate true beliefs or reduce false beliefs. Argumentation is, first and foremost, a social activity of a special kind; it is, as Daniel Cohen put it, "a way of participating in the community" (2013, p. 475).

As in any other social activity, the behaviour of the participants can serve to promote or to damage those values and practices we most appreciate, not only inherently argumentative values such as *reasonableness* (Eemeren and Grootendorst, 2004) or *honesty*, but also social values in a broader sense, such as *equality, fairness, or democracy*. Hence, an arguer will be considered virtuous not only when the arguments she puts forward are sound and her interventions comply with the procedural rules of a model of good argumentation - such as the pragma-dialectical model -, but also when she behaves in every respect in a way that promotes good social practices and increases others' welfare.

There lies the importance of a virtue approach to argumentation. The soundness of an argument is doubtless an important topic, but it is not enough to grasp all the implications of the practice of argumentation. An approach that addresses the issues related to the arguer's *behaviour*, which ultimately depends on the arguer's *character*, would be able to address these needs.

If we are interested in analysing that kind of features of argumentation, then we should obviously take into account the ethical implications of argumentation. The necessity of an ethical approach to argumentation has already been stressed by Vasco Correia (2012, p. 225): "The point to be made here is that arguments may be correct from a logical and dialectic perspective and nonetheless 'unfair' and

tendentious.”

Correia stresses the great value of a virtue approach to prevent bias in argumentation, a key issue with which logical and dialectical approaches cannot deal accurately. Moreover, a virtue approach could have practical benefits (pp. 233-234):

The advantage of developing argumentational virtues, by contrast with the intentional effort to be impartial, is that these virtues tend to become a sort of “second nature” [...] that allows us to reason in fair terms almost effortlessly, without a conscious and persistent effort to remain impartial.

Let me illustrate the kind of insights that an ethical approach could provide with an example, taken from the 2005 film *Thank you for smoking*. In the following scene, Nick Naylor, protagonist of the film, is speaking with an elementary school student:

Kid: *My Mommy says smoking kills.*

Nick Naylor: *Oh, is your Mommy a doctor?*

Kid: *No.*

Nick Naylor: *A scientific researcher of some kind?*

Kid: *No.*

Nick Naylor: *Well, then she’s hardly a credible expert, is she?*

Both by informal logic standards and by pragma-dialectic standards, Naylor’s intervention seems pretty good. With his accurate questions, he succeeds in rebutting the kid’s argument, which is admittedly very weak, without violating any of the rules for a critical discussion nor any of the “ten commandments” for reasonable discussants (Eemeren and Grootendorst, 2004). The questions that Naylor asks in fact refer to one of the critical questions that have been proposed by informal logic for assessing arguments from authority: given an expert *E* and a proposition *A*, “Is *E* an expert in the field that *A* is in?” (Walton 2006, p. 88). This example shows that Nick Naylor is no doubt a skillful arguer and knows how to apply the principles of informal logic.

Nevertheless, I believe there is *something* wrong with Naylor’s interventions. I find at least two major problems with Naylor’s intervention:

(1) Naylor is a well-informed adult, and as such he surely knows that there is a

considerable amount of evidence which supports the kid's standpoint - that smoking kills. Naylor is not defending any standpoint, he is merely calling into question the kid's argument. Nevertheless, Naylor should have pointed out to the kid, as a matter of honesty, that there are better arguments supporting her position than the one she produced.

(2) By rebutting the kid's argument, Naylor is undermining her confidence in the belief that smoking kills. Given the way Naylor puts his counter-argument - and the kid's early age -, the lesson that she will probably learn is not that, although she has a point, her argument should be improved, but simply that smoking does not cause death. And this, from an ethical point of view, is problematic to say the least.

These problems show exactly the kind of issues into which a virtue argumentation theory could give us an insight. I hope this example suffices to show that a virtue approach would provide a different perspective from those of informal logic and pragma-dialectics. Although such an approach is unlikely to prove useful for appraising the soundness of arguments, it would allow us to find solutions to problems which most of us could not even see before.

In order to allow for analyses like this one, we need to adopt an ethical point of view, and, as the following example will show, in a properly understood virtue approach the ethical issues arise naturally. However, in order to achieve this enterprise, we first need to abandon our narrow focus on arguments as independent entities.

4. *Example of an agent-based approach*

Wayne Brockriede (1972) sketched a brief analysis of three types of arguers that seems to me like the perfect example of an agent-based approach. He drew an analogy between arguers and romantic partners, classifying arguers into three types. Brockriede's metaphor is all the more adequate for my purposes because he classified arguers according, not to the kind of arguments they put forward, but to their behaviour. The three kinds of arguers are:

(1) *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.

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

(3) *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.

Brockriede concluded that the (p. 9):

argument has another function as important as any intellectual creation of the "truth" of a situation, and that is the personal function of influencing the fulfillment and growth of the selves of the people in the transaction.

Brockriede's metaphor strikes me as very insightful and relevant to the defence of a virtue approach to argumentation for one reason: although the author does not state it explicitly, the paper implies that both rapists and lovers *put forward sound arguments*. It's not the soundness of their arguments what differentiates them but their *character* and *behaviour*. This entails that an act-based approach - such as informal logic - would not be apt to distinguish between both types of behaviour; all it can do accurately is identify seducers, who do make use of tricks and fallacies. The difference between rapists and lovers does not lie in the kind of arguments they produce but in 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. For this reason, Brockriede says (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.

Of course, I am not arguing for the adoption of Brockriede's classification in particular. The importance of that classification lies actually in two assumptions that support it. First, an agent-based approach has, by its very nature, ethical implications. Ethical analyses fit comfortably in - and arise naturally from - any virtue theory. Second, an act-based approach, one focused on evaluating the argument, cannot be enough. We need a virtue approach for a complete and thorough understanding of the argumentative practice and its ethical implications.

5. Conclusion

The ongoing debate on the feasibility of a virtue approach to argumentation has

focused on whether such an approach would be a useful tool for argument appraisal. Given a specific argument, the question is whether a virtue theory of argumentation could provide an assessment of its soundness. However, as I have argued, we must admit that this is not the task that a virtue approach is designed to do. Informal logic is focused on the study and assessment of arguments, and a virtue approach should not be developed just to undertake the very same task. Instead, a virtue approach would give us the opportunity to adopt a different point of view, without which the study of argumentation cannot be considered complete.

As stated in the introduction, the crucial question for a virtue approach is not “What is the right thing to do in this situation?” but rather “What kind of person should I be?”. The motivation for developing a virtue approach is precisely this question: “What kind of arguer should I be?” Being a virtuous arguer involves much more than just producing sound arguments, it involves things that go beyond the scope of informal logic and pragma-dialectics, and the ethical implications of the argumentative practice are among these things. That is what makes a virtue approach to argumentation interesting and necessary.

A virtue theory of argumentation will not come just to keep talking about soundness. Instead, it will provide insights into the argumentative practice that we were lacking, and perhaps could not even notice before.

NOTES

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- ii. Paula Olmos called my attention to these two levels of discourse.

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