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Brothers in arms: Virtue and pragma-dialectics

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Abstract: Virtue argumentation theory focuses on the arguers' character, whereas pragma-dialectics focuses on argumentation as a procedure. In this paper I attempt to explain that both theories are not opposite approaches to argumentation. I argue that, with the help of some non-fundamental changes in pragma-dialectics and some restrictions in virtue argumentation theory, it is possible to regard these theories as complementary approaches to the argumentative practice.

Keywords: argumentation, bias, conventional validity, practice, pragma-dialectics, problem validity, rules, virtue

1. Introduction

For a decade now, argumentation theory has been witnessing the emergence of a new approach. The traditional perspectives in argumentation have been that of logic, which focuses on arguments as products, of dialectic, which focuses on argumentation as a process, and of rhetoric, which focuses on the audience reception.[1] Recently, some new approaches have been proposed that conceptualise the traditional views in novel ways. One of them is a virtue approach to argumentation, which would be centred on the arguers, their character and conduct. Such a virtue approach to argumentation was first proposed by Aberdein (2007, 2010, 2014) and Cohen (2007, 2009, 2013a, 2013b), and has been defended by other authors later on.

This kind of agent-based approach could shed light onto aspects of the argumentative practice that are undoubtedly relevant but that are not adequately captured by other approaches. Examples of these aspects are the arguers' dogmatic or open-minded attitudes, the arguers' biases (Correia, 2012), or even the appropriateness or inappropriateness of arguing at a specific time, with a specific person, about a specific topic (Cohen, 2007). However, it seems evident that a virtue approach to argumentation, as an *argumentation theory*, should also have something to say about both the *argument* as product and *argumentation* as a process.

[1]Or, if you prefer Wenzel's (2006) terms, logic focuses on *products*, dialectic on the *procedure*, and rhetoric on the *process*. O'Keefe's (1977) twofold distinction between argument as product and argument as interaction or process is good enough for my purpose of differentiating logic from dialectic; like virtue argumentation theory, and unlike rhetoric, these two disciplines are normative and hence are the disciplines that I will take into account.

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In this article, I undertake the task of showing how an agent-based approach could relate to argumentation as a process. I will limit myself to this point because I believe that the explanation of the relationship between virtue argumentation theory and the argument as product deserves a separate article. The study of the argumentative process has traditionally been undertaken by dialectics. Nowadays, the most successful and widely accepted dialectical theory is no doubt pragma-dialectics. Therefore, in order to clarify the relationship between virtue argumentation theory and argumentation as a process, I think it is useful to explain what insights such a virtue approach could arguably provide that are not already in pragma-dialectics.

Hence, this article is not intended as a criticism of pragma-dialectics—even though some critical remarks will be made. Since I believe that *no* theory provides the whole picture, my aim is merely to show what the benefits of a virtue approach would be when it comes to understanding the argumentative process. It should also be pointed out that, even though I will restrict my remarks to argumentative discussions as pragma-dialectics regards them, a virtue approach does not commit one to a view of discussions as necessarily taking place between a protagonist and an antagonist. From the perspective of virtue argumentation theory, argumentation can take place between two or more discussants, in oral or written form, between an orator and her audience, between a writer and her readers, or what have you. My reason for taking for granted the pragma-dialectical model of critical discussion is simple: any other pragmatic and dialectic theory could provide a different model, whereas I am interested in showing what *specifically* a virtue approach could provide.

In the following section, I will outline the main features of the pragma-dialectical theory, especially those that focus on argumentation as a dialectical process. In section 3, I will argue that merely having the set of rules that pragma-dialectics provides does not guarantee that the discussants' behaviour will be virtuous—something which, to some extent, the authors themselves admit. This is not intended as a criticism of the whole theory, but merely as the contention that a virtue approach has something to offer which is not already present in the pragma-dialectical theory. In section 4, I will argue that, in pragma-dialectics, the norms of argumentative discussions are too dependant on the discussants' will and that the source of those norms is obscure. The virtue approach that I propose could answer the question about the source of those norms in a more sensible way. Finally, in section 5, I will provide a few remarks about the other side of this relationship: the status of virtue argumentation theory and the pragma-dialectical insights that this new approach should adopt.

2. Pragma-dialectics: an overview

During the 1970s and the early 1980s, Frans H. van Eemeren and Rob Grootendorst developed what would become known as the *pragma-dialectical* theory of argumentation. The first complete elaboration of the theory was offered in *Speech Acts in Argumentative Discussions* (Eemeren & Grootendorst, 1984). The pragmatic aspect of the theory lies in the fact that it is based on Searle's theory of speech acts and Grice's cooperative principle. Argumentation, then, is regarded as a

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complex speech act, comprised of *elementary* speech acts that belong to the category of assertives. The essential condition of the complex speech act of argumentation is that advancing that constellation of statements—i.e. the assertives that comprise it—counts as "an attempt by the speaker to justify *p*, that is to convince the listener of the acceptability of his standpoint with respect to *p*" (Eemeren & Grootendorst, 1992, p. 31). Thus, the perlocutionary effect that is associated with argumentation is that of *convincing* (1984, p. 47).

In the most mature form of the theory, the authors also combine Searle's and Grice's insights in order to propose an alternative to Grice's cooperative principle (Eemeren & Grootendorst, 2004, p. 76): the *communication principle*, which covers the general principles of *clarity*, *honesty*, *efficiency* and *relevance*.[2] This communication principle is the basis for five rules of the use of language that can be substituted for the Gricean maxims, and that forbid speech acts that are incomprehensible, insincere, redundant, meaningless, or not appropriately connected with previous speech acts (2004, p. 77).

What is of most interest here, however, is the dialectical aspect of the theory. Pragma-dialectics regards argumentative (or critical) discussions as discussions between a protagonist and an antagonist about a particular standpoint, where the protagonist attempts to defend her standpoint against the critical reactions of the antagonist (1984, p. 17, 2004, p. 1). The purpose of the discussion is the resolution of the difference of opinion, either in favour of the protagonist if the standpoint has been successfully defended—in which case the antagonist must retract her doubt—or in favour of the antagonist—in which case the protagonist must retract her standpoint (2004, p. 61).

The pragma-dialectic ideal model of a critical discussion consists of four *discussion stages* with which the discussants have to deal, either explicitly or implicitly (2004, pp. 60–61):

- *Confrontation stage*: A difference of opinion or *dispute* arises when a standpoint is not accepted or the possibility is assumed that it will not be accepted.
- *Opening stage*: The necessary conditions for a fruitful critical discussion are fulfilled in this stage, either explicitly or implicitly. The discussants find out how much common ground they share and establish the starting points of the discussion, the procedural rules of the discussion are agreed, and the roles of protagonist and antagonist are assigned.
- *Argumentation stage*: The protagonist advances argumentation intended to overcome the antagonist's doubts or refute the antagonist's critical reactions. The antagonist critically evaluates the protagonist's argumentation and may either accept it or react with further critical arguments, in which case the protagonist must provide further argumentation, and so

[2]Notice that the principle of honesty might be in tension with the pragma-dialectic principle of *externalisation*, according to which speculations about what the arguers "think or believe" should be avoided (1992, p. 10). I will not delve into that, however, because arguably speech act theory offers the possibility of making reference to the speaker's intentions and sincerity.

on. As such, the antagonist merely casts doubt on the protagonist's standpoint, she does not defend the opposite standpoint nor any other standpoint.

- *Concluding stage*: Both discussants establish the result of the discussion. The difference of opinion can only be considered to be resolved if the discussants agree either that the standpoint is acceptable or that the protagonist must retract it.

The previous model represents the simplest form of a critical discussion, that of a *single non-mixed* dispute—*single* because the disagreement concerns only one proposition, and *non-mixed* because only one standpoint has been adopted regarding that proposition. If the dispute is around more than a single proposition, it is *multiple*. If the antagonist not only reacts critically to the standpoint but also defends the opposite standpoint, it is *mixed*—in which case both roles of protagonist and antagonist are assumed by each discussant in relation to the respective standpoints (2004, pp. 119–120).

Eemeren and Grootendorst then established which speech acts are permitted in each stage of a critical discussion and which specific purpose they serve—beyond the general purpose of resolving the difference of opinion that they all must serve (1984, p. 105, 2004, p. 68). Of much more interest here, however, are the rules that the authors proposed as necessary for conducting a reasonable and fruitful discussion that leads to the resolution of the difference of opinion. In accordance with the principle of *externalisation* that guides pragma-dialectics, the rules do not apply to beliefs or psychological states but primarily to speech acts (2004, p. 135).

At the beginning, Eemeren and Grootendorst (1984) postulated a "code of conduct" with seventeen rules that specified in great detail which speech acts the discussants are entitled, prohibited or obliged to perform as well as the conditions of success for the protagonist and the antagonist. In (1992) the authors presented a list of ten "rules for critical discussion" whose violation amounted to the commission of a fallacy. Finally, when the mature form of the theory was presented (2004), the previous seventeen rules evolved into a list of fifteen "rules for a critical discussion", and the previous list of ten rules was incorporated, with slight modifications, as a "simple code of conduct for reasonable discussants" which was less technical "for practical purposes" (2004, p. 190).[3]

By way of illustration, it will be enough to present the list of ten rules, all of them prohibitions, which are also known as the "ten commandments:"

1. Discussants may not prevent each other from advancing standpoints or from calling standpoints into question.
2. Discussants who advance a standpoint may not refuse to defend this standpoint when requested to do so.

[3]For a more detailed account of the development of the pragma-dialectical rules, see Zenker (2007).

3. Attacks on standpoints may not bear on a standpoint that has not actually been put forward by the other party.
4. Standpoints may not be defended by non-argumentation or argumentation that is not relevant to the standpoint.
5. Discussants may not falsely attribute unexpressed premises to the other party, nor disown responsibility for their own unexpressed premises.
6. Discussants may not falsely present something as an accepted starting point or falsely deny that something is an accepted starting point.
7. Reasoning that in an argumentation is presented as formally conclusive may not be invalid in a logical sense.
8. Standpoints may not be regarded as conclusively defended by argumentation that is not presented as based on formally conclusive reasoning if the defence does not take place by means of appropriate argument schemes that are applied correctly.
9. Inconclusive defences of standpoints may not lead to maintaining these standpoints, and conclusive defences of standpoints may not lead to maintaining expressions of doubt concerning these standpoints.
10. Discussants may not use any formulations that are insufficiently clear or confusingly ambiguous, and they may not deliberately misinterpret the other party's formulations.

Do the rules guarantee that the dispute will be resolved in a reasonable way? The authors make clear that, even though compliance with the rules is a necessary condition, it is not *sufficient* (2004, p. 134):

> Of course, the rules cannot offer any guarantee that discussants who abide by these rules will always be able to resolve their differences of opinion. They will not automatically constitute a sufficient condition for the resolution of differences of opinion, but they are at any rate necessary for achieving this purpose.

What else is needed? The authors explicitly state that their rules constitute *first-order conditions* for conducting a critical discussion, and that there are also *higher-order conditions* that must be fulfilled (2004, p. 189). There are second-order conditions, relating to the psychological state of the participants, and third-order conditions, relating to the social circumstances in which the discussion takes place. Hence, as I will argue in the next section, pragma-dialectics leaves open the possibility of integrating a virtue approach into the theory.

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3. The role of the arguers' character in the application of rules

It is not entirely clear what precisely pragma-dialecticians regard as second-order conditions for a reasonable discussion. Sometimes it seems as if those "internal conditions" amount to little more than a willingness to comply with the rules of conduct (2004, p. 189):

> Compliance with second-order conditions can to some extent be stimulated by education that is methodically directed at reflection on the first-order rules and understanding their rationale.

Other times the scope of the second-order conditions seems to be slightly broader, including proper motivations and the ability to engage with different points of view (Eemeren, 2015, p. 838):

> Second order conditions concern the internal states of arguers: their motivations to engage in critical discussion and their dispositional characteristics as to their ability to engage in critical discussion.
>
> Second order conditions require that participants be able to reason validly, to take into account multiple lines of argument, to integrate coordinate sets of arguments, and to balance competing directions of argumentation.

And, finally, it seems that when Eemeren and Grootendorst first developed the pragma-dialectical theory, they had a rather broad conception of the second-order conditions, a conception that included at least some *virtues*. The authors described the discussant who fulfils these internal conditions as a member of Popper's *Open Society* (1988, p. 287):

> A member of the Open Society is anti-dogmatic, anti-authoritarian, and anti-*Letztbegründung*; in other words against monopolies of knowledge, pretensions of infallibility, and unfaltering principles.

It is safe to conclude, then, that there is room in pragma-dialectics for the integration of a virtue approach to argumentation. There is no need to present both theories as opposite accounts of the same thing: they are merely different approaches to argumentation, one concerned with first-order conditions and the other with second-order conditions.

In fact, given that the purpose of pragma-dialectics is the evaluation of argumentative discourse and the identification of fallacies, I regard as a virtue of the theory its principle of externalisation, according to which the focus is on "what people have expressed, implicitly or explicitly," avoiding speculation about "what they think or believe," given that "internal states of mind are not accessible" and that "it is not clear to what extent people can be held accountable" for them (1992, p. 10). That, however, should not make us ignore the fact that certain aspects concerning the psychological states of the arguers, even though they may not be relevant *to the evaluation of argumentative discourse*, are nevertheless very important to the practice of argumentation. The most obvious of these aspects is perhaps *bias*—which does not necessarily imply non-cogency of arguments or infringement of dialectical rules. A theory whose main purpose centres around education and the formation of virtuous arguers—such as the virtue argumentation theory that I advocate—should no doubt have something to say about the arguers' motivations and biases.

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Let us see, then, what a virtue approach to argumentation could contribute to a rule-based dialectical theory such as pragma-dialectics. First of all, as the first quote of this section suggests, the appropriate application of pragma-dialectical rules may require a suitably motivated and virtuous character. This idea has already been advanced by Correia (2012), who points out that the reasonableness of argumentative discussions can be *unintentionally* undermined by the arguers' cognitive biases. Given that such biases tend to be unconscious, Correia claims, mere knowledge of the rules and intentional efforts to follow them may prove insufficient.

Consider, for example, the seventh and the eighth commandments, which prescribe that arguments must be either logically valid—if presented as formally conclusive—or instances of the appropriate argumentative scheme correctly applied. In order to comply with these rules, the discussants must be capable of assessing the quality of the arguments they put forward. However, psychological research shows that we are not very good at that. One of the obstacles to the correct assessment of arguments, as Evans (2004) explains, is *belief bias*, the tendency to evaluate the quality of arguments according to whether we agree with the conclusion. For example, in an experiment that Evans presents, subjects were given syllogisms and they were asked to decide whether the conclusion necessarily followed from the premises. There were four kinds of syllogisms: valid syllogisms with either believable or unbelievable conclusions, and invalid syllogisms with either believable or unbelievable conclusions. It was shown that the acceptance of syllogisms with believable conclusions, either valid or invalid, was higher than the acceptance of syllogisms with unbelievable conclusions—only 56% of the subjects accepted valid syllogisms with unbelievable conclusions, whereas 71% of them accepted invalid syllogisms whose conclusions were believable. An explanation for this is belief bias (p. 139):

> One idea is that people accept arguments uncritically if they agree with their conclusions, so they do not notice when believable conclusions are supported by invalid arguments and only check the logic when the conclusion is disagreeable.

A related and well-known human tendency is *confirmation bias*. This largely unconscious bias is responsible for the selective gathering of evidence that supports our own views (Nickerson, 1998, p. 177). The preferential treatment of evidence that supports a desired conclusion is also called *my-side bias*, and it has been considered as a *motivational* problem rather than a cognitive limitation (p. 178). Another aspect of confirmation bias does not concern the selection of evidence but the interpretation of evidence in a way that fits our previous views. Several studies show that "people tend to overweight positive confirmatory evidence or underweight negative discomfirmatory evidence" (p. 180). An extreme case of this tendency was an experiment that showed that "people sometimes interpret evidence that should count against a hypothesis as counting in favor" (p. 187).

It could be argued that the selective search for information that supports one's view is consistent with an adversarial approach such as that of pragma-dialectics. However, when the effect of confirmation bias is to *give more weight* to evidence that counts in one's favour, that could impede a proper appreciation of the quality of arguments—thereby obstructing compliance with the eighth

commandment. Consider a famous study that Lord, Ross and Lepper (1979) conducted. The subjects in the study, who were either proponents or opponents of the death penalty, were given two fictitious studies, one that confirmed the deterrent effectiveness of the death penalty and another that disconfirmed it, and were asked to evaluate them. As expected, subjects evaluated as less convincing and of less quality the study that contradicted their initial beliefs.

For another example, take the first commandment, which forbids arguers from preventing each other from advancing standpoints or critical remarks. According to the way Eemeren and Grootendorst understood this rule, the abusive variant of the *ad hominem* argument constitutes a violation of it, given that when an arguer portrays another as "stupid, unreliable, inconsistent, or biased, one effectively silences him, because if the attack is successful he loses his credibility" (1992, p. 110). A number of psychological studies show, however, that a human tendency exists to regard others as less objective than ourselves, and that could make it difficult to effectively avoid that kind of personal attack. This bias is known as the *bias blind spot*: the tendency to recognise and even exaggerate bias in others but to deny the effect of bias in ourselves. According to Pronin (2007, p. 39), this effect can be explained as the result of three components: unconscious bias, disagreement, and ego concerns. In the first place, the fact that biases are usually unconscious makes us prone to believe that our opinions and behaviour are not affected by bias—and that therefore our views are objective (Pronin, 2008, p. 1178). This happens because, in order to understand our own behaviour or opinions, we often rely too heavily on introspection (Ibid., p. 1177):

> […] we tend to perceive ourselves via "introspection" (looking inwards to thoughts, feelings, and intentions) and others via "extrospection" (looking outwards to observable behavior). In short, we judge others based on what we see, but ourselves based on what we think and feel.

People, for instance, are more prone to view the others as motivated by self-interest than to view themselves as so motivated (Pronin, 2007, pp. 37–38):

> They assume that people who work hard at their jobs are motivated by external incentives such as money, whereas they claim that they personally are motivated by internal incentives such as feeling a sense of accomplishment.

The reason why we do not detect the effects of bias in ourselves is that introspection is not a reliable method for detecting bias (Pronin, Gilovich, & Ross, 2004, p. 783):

> Most of us are willing, at least on occasion, to entertain the possibility that our own judgments or decisions are tainted by bias. […] However, when we entertain such possibilities of bias, we are unlikely to find any phenomenological trace of the bias in question.

In the second place, when disagreement with another person arises, our stance of "naive realism" (Ibid.), according to which our views reflect the world in an objective manner, leads us naturally to the belief that the other person must be biased. And, finally, given that considering oneself objective contributes to a positive image of oneself—and given the pejorative connotation of the word

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"bias"—a *motivation for self-enhancement* probably bolsters the bias blind spot as well (Pronin et al., 2004, p. 788).

It is easy to see how the bias blind spot can lead to direct personal attacks. Of course, the fact that we tend to believe that whoever disagrees with us is biased does not immediately imply that such belief will be externalised in the form of an *ad hominem* argument. In order to comply with the pragma-dialectical code of conduct, an arguer could deliberately avoid accusing her interlocutor of being biased, partial or self-interested even if she firmly believes that the accusation holds. This, however, does not seem to me to be a realistic and practical solution; in many—perhaps most—cases, asking the arguers to restrain themselves from displaying their genuine attitudes towards their interlocutors may well be asking too much. Furthermore, such a way of concealing what the arguer truly believes about her interlocutor could arguably be regarded as behaviour that is at odds with the pragma-dialectical principle of honesty.

As Correia (2012, p. 231) points out, given that these biases are unconscious, arguers who fall prey to them cannot be said to have violated the principle of honesty. It seems, then, that something more is needed than honesty and effort in order to follow the pragma-dialectical rules. An approach to argumentation that deals with those kinds of biases should address the discussants' *dispositions* and *motivations*, at least if such an approach is intended to have a relevant influence on practice and education. Such an approach would provide some insight into the second-order conditions, concerning the internal state of mind and the character of the arguers, that—together with the third-order conditions, concerning the social context—precede and facilitate the fulfilment of the first-order conditions. It seems to me that a virtue approach to argumentation would be the most suitable theory for this purpose.

Some authors have already argued that a virtue theory is a fruitful framework that would allow us to address the problem of bias. Roberts and West (2015), for example, argue that a virtuous intellectual character might help correct some of the biases that make us prone to error. They propose two epistemic virtues that are corrective in this sense: self-vigilance and intellectual vitality. The virtue of self-vigilance relates to the suggestion that (p. 2563):

> Some (at least) of the biases that undermine our epistemic reliability will be rendered less harmful by our recognizing that we are subject to them. […] Thus, an appreciation of our own susceptibility to natural epistemic mishaps is the first aspect of the virtue of self-vigilance, and the empirical literature on cognitive defects ought to be an invaluable resource for our education in such appreciation.

In fact, Pronin (2007, p. 40) claims that, even though explaining to people the effects of biases produces scarce results, educating them about the lack of conscious awareness of these biases and about the limited value of introspection tends to eliminate the bias blind spot. Such education could no doubt contribute to the formation of the self-vigilant person, someone who "appreciates her susceptibility to natural epistemic failings" (Roberts & West, 2015, p. 2566). The virtue of

intellectual humility could also help the arguer understand that she is unlikely to be more objective than the average person, and thus to counteract the natural stance of "naive realism."

Intellectual vitality, on the other hand, is understood by Roberts and West as "the virtue corresponding to intellectual laziness" (p. 2570). It seems to me to closely resemble the virtue of *willingness to inquire* proposed by Hamby (2015, p. 77): "the firm internal motivation to employ one's skills in the process of critical inquiry, seeking reasoned judgment through careful examination of an issue." Intellectual vitality enables the virtue of open-mindedness (Roberts & West, 2015, p. 2571) and, by driving us towards the search for information and the consideration of both sides of an issue, could help us counteract the belief bias and the confirmation bias.

Lastly, consider the virtue of intellectual humility as it has been proposed by Ian James Kidd (2016). He characterises humility as "a virtue for the management of intellectual confidence—that is, confidence as it manifests in intellectual activities such as arguing, understanding, forming beliefs, and so on" (p. 396). Intellectual humility as Kidd conceives of it requires "discipline, active self-monitoring, receptivity to other persons, and a sense of the contingency and fragility of intellectual confidence" (p. 397). He holds that the practice of argumentation can contribute to the cultivation of intellectual humility insofar as argumentation is "conceived and practiced as an edifying discipline" that is "sensitive to psychological and social facts about the ways that anxiety, bias, confidence and other phenomena affect our capacity to engage in shared intellectual practice" (p. 401). He concludes (Ibid.):

> Crucially, 'good argumentation' must be conceived to include certain virtues and, with them, certain styles of good agential intellectual conduct, in all its affective, bodily, and cognitive aspects.

4. The social foundation of argumentative norms

The previous section shows how, in my view, the compatibility between pragma-dialectics and a virtue approach to argumentation is clear in that pragma-dialectics explicitly acknowledges that the internal state of the arguers is a relevant topic for the argumentation theorist.[4] My contention in this section will be more theoretical, as opposed to my concerns about the applicability of the rules of discussion in the previous section. My arguments will perhaps also be considered more critical of the theoretical foundations of pragma-dialectics. In any case, I do not take what I will say in this section as substantial objections to the pragma-dialectical model of critical discussions. I will merely attempt to show that pragma-dialectics cannot stand on its own when it comes to offering a descriptively adequate explanation of the source of argumentative normativity. For that enterprise, pragma-dialectics can benefit from a virtue approach to argumentation that regards virtues as part of an evolving tradition, or at least so I will argue.

[4]It is, however, a forbidden topic for the arguers during the discussion. I thank an anonymous reviewer for this clarification.

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The central questions of this section will be: what is the source of pragma-dialectical rules? Where does their normative strength come from? Eemeren and Grootendorst (2004, p. 132) claimed that the soundness of the rules of discussion derives both from their *problem validity*, the extent to which they contribute to the resolution of differences of opinion, and from their *conventional validity*, their acceptability to the discussants. Eemeren explains the two requirements as follows (2010, p. 32):

> This means that the various components that together constitute a pragma-dialectical discussion procedure are to be checked, on the one hand, for their capability "to do the job" they are designed to do, namely for their adequacy for resolving differences of opinion, and, on the other hand, for their intersubjective acceptability to discussants—which can lend them conventional validity.

The criteria so stated do not seem to pose great problems. However, as I intend to show, when we get into the details things prove to be more complicated. Let us begin with the requirement of problem validity. Sometimes pragma-dialecticians put more emphasis on this requirement, rather than the criterion of intersubjective agreement. For example (Eemeren, Meuffels, & Verburg, 2000, p. 418):

> The soundness of the pragmadialectical rules is first and foremost based on their *problem validity*: the fact that they are instrumental in resolving a difference of opinion.

Yet surely not *any* way of ending a difference of opinion is acceptable. For this reason, Eemeren and Grootendorst distinguished between "resolution" and "settlement" of a dispute (2004, p. 58). A dispute or difference of opinion is only resolved when "a joint conclusion is reached on the acceptability of the standpoints at issue on the basis of a regulated and unimpaired exchange of arguments and criticism," while it is settled when the arguers agree to end it in any other way—by voting, say. In that sense, it does intuitively seem that the pragma-dialectical rules might be problem valid. Nevertheless, the question still remains, why precisely *these* rules and not others?

According to Eemeren and Grootendorst, the best test for the problem validity of the system of rules is the extent to which "it is possible with each of the formulated discussion rules to indicate precisely which classical fallacies can be controlled through these rules" (1988, p. 283). Providing an account of the fallacies has been a main concern for pragma-dialecticians from the beginning, and the very definition of fallacy has been linked to the system of rules. It would seem, then, that the traditional list of fallacies serves as an external criterion. We soon realise though that this is not the case (Eemeren & Grootendorst, 1992, p. 105):

> We think that all traditional categories have their proper place in our system, but even if one or more of the traditionally listed fallacies could not be analyzed pragma-dialectically, this would not automatically mean that there is something wrong with the theoretical apparatus. It would be a mistake to treat the traditional list as a sacrosanct gift from heaven.

The last sentence constitutes, in my view, a very sensible standpoint. However, it creates complications for the theoretical status of pragma-dialectical rules. If fallacies are defined as

violations of rules for critical discussion (Eemeren, 2010, p. 194; Eemeren & Grootendorst, 1992, p. 104) and the problem validity of the rules depends on their suitability for ruling out fallacies, the justification of the rules is then circular. *By definition*, the rules will necessarily be effective in avoiding fallacies. This circularity has recently been exposed by Popa (2016) in a very insightful article. He says (p. 197):

> And yet, the problems solved by the pragma-dialectical rules come into sight only as negations of the rules themselves. In other words, the "problematic" character of the situations in which the rules are violated seems to consist of the fact that the rules are being violated.

The requirement of problem validity, then, is only trivially fulfilled by pragma-dialectical rules. This does not really give us a solid justification of the rules. Nevertheless, perhaps there is hope in the requirement of conventional validity, according to which the arguers must accept the rules for critical discussions. I will now turn to this second criterion.

Conventional validity requires that the rules be accepted by the arguers (Eemeren et al., 2000, p. 418):

> To resolve a difference of opinion, however, besides being effective, the rules must also be acceptable to the parties involved in the difference: They should be intersubjectively approved or "conventionally valid."

I regard this emphasis on intersubjective acceptance as a merit of the theory. My objections will be, however, that pragma-dialecticians put too much weight on separate instances of argumentative discussions and on explicit agreement.

Several authors, such as Siegel and Biro (2008) and Tindale (1996), have argued that participants in an argumentative discussion enjoy too much freedom to determine which rules will be acceptable in the discussion in which they engage. As Tindale (p. 26) observes, sometimes Eemeren and Grootendorst emphasised the existence of objective criteria, but other times they seemed to put more emphasis on agreement between the discussants. A matter of concern, for example, has been the fact that according to the pragma-dialectical model the discussants are free to determine the starting points of the discussion. This could lead to agreement on a quite unreasonable standpoint, as Siegel and Biro point out (p. 194):

> For example, if you and I are white racists and are engaged in a critical discussion about the wisdom of voting for a black candidate—I plan to vote for him because, despite his skin color, he reminds me of my father, say—your reminding me of my general attitude concerning the abilities of blacks, in moves that comport perfectly well with the pragma-dialectical rules, might well resolve our difference of opinion in accordance with rules we both accept, but my new belief that I should not vote for this candidate is still not justified by my racist prejudices, despite our agreement on the matter and the appropriateness of the procedure by which I arrived at it.

I believe, however, that good answers have been provided to this objection. Eemeren (2012, p. 453) writes that the pragma-dialectical theory is "neither a 'positive' branch of study like physics, chemistry, or history, nor equivalent with pools of intellectual reflection like ethics, epistemology,

rhetoric or logic." Pragma-dialectics is then solely concerned with the resolution of differences of opinion by reasonable means, not with the epistemological or ethical value of the standpoint agreed by the discussants. In the same vein, Garssen and van Laar (2010, p. 127) argue: "We leave it up to the various disciplines to provide methods and criteria that help scholars to assess the acceptability of premises, and we leave it up to individual disputants to create what they conceive of as an appropriate common ground." But this response would only dispel Siegel and Biro's accusation of relativism if, as Garssen and van Laar hold (Ibid.), what depends on the agreement of the discussants is merely the material starting points and not the rules for critical discussions. And it seems that the rules themselves are agreed on by the discussants as well.

According to the pragma-dialectical critical-rationalist perspective on reasonableness, argumentation is acceptable when it is "an effective means of resolving a difference of opinion in accordance with discussion rules *acceptable to the parties involved*" (Eemeren & Grootendorst, 2004, p. 16, my emphasis). Likewise, the authors explain that in the opening stage the arguers establish their common ground, "which may include *procedural commitments* as well as substantive agreement" (p. 60, my emphasis). In fact, agreement on the procedural rules is explicitly stated in rule 5 (p. 143):

> The discussants who will fulfill the roles of protagonist and antagonist in the argumentation stage agree before the start of the argumentation stage on the rules for the following: how the protagonist is to defend the initial standpoint and how the antagonist is to attack it, and in which case the protagonist has successfully defended the standpoint and in which case the antagonist has successfully attacked it. These rules apply throughout the duration of the discussion, and may not be called into question during the discussion itself by either of the parties.

There is more. According to rule 7, the success of an attack or a defence of the justificatory or the refutatory force of a complex speech act of argumentation depends on whether it is validated by the "intersubjective testing procedure" (p. 150). This procedure consists in checking whether an argument scheme that has been used is acceptable by the parties. Hence, the parties must have agreed beforehand on "which argument schemes may and may not be used," and it is explicitly stated that "the discussants are free to decide on this" (p. 149).

In a reply to his critics, Eemeren (2012, p. 453) says that their mistake lies in supposing that "the propositions and types of inferences initially agreed upon drop out of the sky." Indeed, Eemeren and Grootendorst (1992, p. 41) acknowledged that "these rules may have been established in the community long before the discussants first met." I believe that this is the key to finding a way out of this predicament. The authors (2004, p. 142) stated that, when the discussants do not explicitly agree on the rules of the discussion but instead tacitly assume that they accept roughly the same rules, then they "assume that they are bound by *conventions*." The appeal to implicit social conventions would be, in my view, the appropriate response to the aforementioned objections. But then, what is the benefit of focusing so much on *explicit* agreement in the ideal model? And why would the discussants have the last word, having the possibility of rejecting firmly established rules

or accepting bizarre ones? Pragma-dialecticians' appeal to conventions seems to lose all its force when Eemeren and Grootendorst (2004, p. 143) stress that: "The rules apply as long as *this* discussion between *these* discussants continues."

Having shown that the requirement of problem validity is circular, my contention is that the pragma-dialectical rules must be assessed according to their conventional validity. However, as we have seen, the rules place an undue emphasis on what the particular arguers in a particular discussion decide to do. Where, then, does the intersubjective acceptability lie? In discussing the validity of pragma-dialectical rules, Hansen (2003, p. 61) makes an illuminating remark:

> In this way, then, the concept of a "critical discussion" gives rise to the rules, and the rules are constitutive of Critical Discussions as a normative model. I think this is really a large part of the explanation: the idea of a critical discussion gives rise to the need for regulation (that is, for rules) and as individual rules are identified and added to the list, the concept of a critical discussion comes into sharper relief. The Pragma-Dialectical rules I quoted above define "Critical Discussion" at its present state of philosophical evolution.

Thus, the rules are intended to capture the concept of critical discussion that is already present, even if *implicitly*, in our society. This (evolving) conception of what a critical discussion is, which is no doubt moulded and enriched by philosophical thought, is what tacitly imposes constraints on particular arguers in particular discussions—if the arguers decide to follow rules that clash with our idea of critical discussion, they can be said to be arguing poorly or even not to be arguing at all. Therefore, in ordinary circumstances, procedural rules are never explicitly agreed on—neither by particular discussants nor by their community—but are instead an implicit part of a *tradition* (Cohen, 2013b, p. 474). Being optimistic, one could say that our present concept of critical discussion mirrors what we, as a society, have learnt so far. The merit of pragma-dialectical theory is that it makes explicit what is only implicit and diffuse. It is against this concept of critical discussion that the validity of pragma-dialectical rules must be assessed. As Aberdein (2010, p. 169) writes: "The practice comes first, and the rules strive to capture what makes it effective."

Virtue theories are usually sensitive to this cultural background of norms. MacIntyre (2007) famously advocated a conception of virtue that is inextricably linked to social practices. And Annas (2011, p. 52), for example, says:

> The present account of virtue insists on the fact that virtue is understood in part by the way it is learnt, and that it is learnt always in an embedded context—a particular family, city, religion, and country.

Hence, a virtue approach to argumentation could not only complement the pragma-dialectical model of critical argumentation for practical (educational) purposes, as contributing to the fulfilment of the second-order conditions, but also provide a theoretical foundation for the pragma-dialectical rules. Rules would be, then, grounded in social practices, from which their normative strength stems. There is, of course, still much to be explained, but I believe the suggestion is promising. I do not know to what extent pragma-dialecticians could accept what has been proposed

in this section. At any rate, as I have emphasised throughout this article, I do not regard my criticism as a fundamental attack on pragma-dialectics, nor do I believe that pragma-dialectics and virtue argumentation theory are opposite approaches.

5. The other side of the coin

So far I have focused on the elements that pragma-dialectics could adopt from a virtue approach to argumentation. But, what about the adjustments that virtue argumentation theory should make in order to adapt to pragma-dialectics? In this section, I will briefly introduce some remarks about what, in my view, pragma-dialectics could teach virtue argumentation theory, and what the status of virtue argumentation theory would be. Since this is not the main topic of the paper, I will not be able to develop it in detail, but it can be fruitful to offer a few indications. Notice, however, that, whereas in the rest of the article I attempted to adopt a general perspective of a virtue approach to argumentation, in this section I will need to rely on some features of the kind of virtue argumentation theory that I envisage.

First of all, should pragma-dialectics impose some limitations on virtue argumentation theory? I have not addressed this complementary part of the relationship between the two theories because of the modest scope of this article, but, in fact, I believe there are some limitations for virtue argumentation theory. For the sake of brevity, I will give only one example that I consider particularly important.[5] As we saw in the previous sections, the pragma-dialectical principle of externalisation forbids references to the arguers' state of mind; the focus is on "what people have expressed, implicitly or explicitly," avoiding speculation about "what they think or believe" (Eemeren & Grootendorst, 1992, p. 10). I believe there are very good reasons for upholding this principle—at least *as a general rule*. If nothing prevented the arguers from freely referring to the other's state of mind, that could easily lead them to ignoring the actual arguments put forward by the other arguer and resorting to *ad hominem* attacks instead. Argumentation theory should not regard that as a legitimate move. But, what are the consequences of this principle for a virtue approach, whose main interest is precisely the arguers' character and state of mind?

Aberdein has argued that, in fact, virtue argumentation theory could shed light on the issue of when an *ad hominem*—or, as he calls it, *ethotic*—argument is legitimate. His proposal is (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.)

However, as Bowell and Kingsbury (2013, p. 26) point out, *ad hominem* arguments can be legitimate when they are used to cast doubt on a claim, but they cannot legitimately be used in order

[5] I thank two anonymous reviewers for this suggestion.

to reject an argument.[6] Godden's (2016) contention that considerations of character are not relevant to the evaluation of arguments points in the same direction. I believe that, in general, these authors are right. An intellectually arrogant, dogmatic, or close-minded person can in fact produce a good argument, so what *determines* the quality of the argument is not the arguer's traits. To be sure, a virtue approach to argumentation could *define* a *good* argument as one that a virtuous arguer arguing virtuously would produce (Godden, 2016, p. 349). But, in order to evaluate the *actual* argument put forward in a specific instance, the *actual* arguer's traits tend to be irrelevant.

I have emphasised that the pragma-dialectical principle of externalisation holds *as a general rule*. Admittedly, there are cases in which the arguer's traits are relevant to the evaluation of the argument. For example, when assessing some defeasible arguments, sometimes the arguer must be trusted to provide all the relevant evidence and not to conceal anything from us. Hence, it is not a rule without exceptions. Nevertheless, the core evaluation of the argument is still made on the basis of characteristics of the argument—it is the kind of argument that tells us whether and in what respects the arguer's traits count. Some of the arguer's traits may turn out to be relevant, but it is not the case that reference to argumentative virtue or vice is always relevant.

It seems, then, that in most cases virtue argumentation theory should respect the pragma-dialectical principle of externalisation and, as a consequence, contrary to Aberdein's claim, not take over the task of argument evaluation. Even allowing for exceptions, the principle of externalisation should function as a general rule that forbids arguers to refer to each other's traits in the assessment of arguments that do not require such references.[7]

Given all the above, what would the status of virtue argumentation be? My arguments in section 3, where I argued that a virtue approach to argumentation could explain the second-order conditions of the pragma-dialectical theory, as well as my arguments in the present section, might seem to suggest that such a virtue approach would merely be a complement of pragma-dialectics. That, however, is due to the fact that, in my view, whereas concrete discussions are the proper domain of pragma-dialectics, a virtue approach to argumentation would have a different and broader scope. Intellectual vices such as intellectual arrogance or close-mindedness, as well as intellectual virtues such as intellectual humility or fair-mindedness, clearly influence how an arguer will behave during a discussion, but those traits cannot be understood only within the boundaries of a concrete discussion. What happens in that person's intellectual life between one discussion and the next is relevant to a virtue approach to argumentation. Moreover, the education that the person has received and the habits that she has acquired must be part of the explanation of these traits—of how the

[6]Bowell and Kingsbury say that it is *never* legitimate to do so. I do not endorse such a strong claim, but the weaker one that *in general* it is not legitimate. Aberdein (2014) provides several examples in which considerations of character might be relevant in order to accept or reject an argument.

[7]As an anonymous reviewer suggested, another way of looking at this issue could be to hold that the only variant of virtue argumentation theory that is compatible with pragma-dialectics is the *modest moderate*, in Paglieri's (2015, p. 77) terms: "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." It is certainly the variant of virtue argumentation theory that I am defending here.

person developed into the kind of arguer she is now. Thus, virtue argumentation theory is in a better position than pragma-dialectics to provide insights into the development of virtues (Annas, 2011) and into the meaning and relationship of virtues to human life (MacIntyre, 2007).

To conclude with another example,[8] the fact that the scope of virtue argumentation theory would predominantly include argumentative habits throughout a person's life makes this theory apt to address an issue that pragma-dialectics leaves out of its range of competence. Pragma-dialectical rule 1 grants the discussants an unconditional right to put forward any standpoint and to call into question any standpoint. As the authors themselves admit, such a rule allows for an allegedly vicious behaviour (Eemeren & Grootendorst, 2004, pp. 136-137):

> A consequence of the unconditional rights that are granted the discussants under rule 1 is, for example, that a discussant who has just lost a discussion in which he defended a particular standpoint against another discussant reserves the right to put forward *the same* standpoint to *the same* discussant again. This even applies to a discussant who has first successfully defended a particular standpoint and then proceeds to call it into question or to defend the opposite standpoint. Of course, it is debatable whether the other discussant will be prepared to begin a new discussion with such an idiosyncratic or unpredictable discussant, and also whether it is reasonable to expect him to do so.

Indeed, nothing in pragma-dialectical rules precludes the possibility that the discussants revert back to their previous beliefs once the discussion has ended, whatever the result of the discussion was, and even to initiate the same discussion again. In my view, such a behaviour would not only be "idiosyncratic" and "unpredictable;" it would in fact be argumentatively vicious. Virtue argumentation theory, on the other hand, is interested in the person's long-term argumentative behaviour. Whether the person adjusts her beliefs to the reasons presented during a discussion—as well as whether the person's beliefs display some consistency throughout different discussions—are matters relevant to whether that person can be regarded as a virtuous arguer. Therefore, a virtue approach to argumentation could offer some insight into issues related to argumentative habits, such as the one just mentioned.

6. Conclusion

Nowadays pragma-dialectics is probably the most systematic, detailed and best developed rule-based dialectic approach. For this reason, I have taken it as the paradigm of a theory of argument as process. My main objective has been to elucidate what the relation would be between a virtue approach to argumentation and the pragma-dialectical theory. For, given that virtue theories focus on the agent and her character, it becomes necessary to explain how they relate to actions and behaviour.

As I hope to have shown, virtue argumentation theory and pragma-dialectics would not be opposite theories of the same thing. Pragma-dialectics is a theory of evaluation of argumentative

[8] I thank an anonymous reviewer for pointing this out to me.

discourse—a task for which virtue argumentation theory is, in my view, much less apt.[9] A virtue approach to argumentation could complement pragma-dialectics by providing some insight into the second-order conditions concerning the arguers' character and state of mind. Moreover, even though pragma-dialecticians might regard this proposal as a modification of their theory, virtue argumentation theory could contribute to the justification of pragma-dialectical rules by explaining the social and cultural character of our ideas of critical discussion and of a virtuous arguer on which the rules are based. On the other hand, what pragma-dialectics provides—and a virtue approach to argumentation cannot—are detailed rules that make explicit what is only implicit in our conception of what arguing reasonably (virtuously) is.

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[9]Not all virtue argumentation theorists would agree with this, however. As Paglieri (2015) shows, some proponents of a virtue approach to argumentation hold that the quality of arguments is not determined by the informal logicians' notion of cogency—the *radicals*—and others hold that a virtue approach to argumentation can explain cogency—the *ambitious moderates*. I thank an anonymous reviewer for pointing this out to me.

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