

# On the Priority of Agent-Based Argumentative Norms<sup>\*</sup>

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**ABSTRACT:** This paper argues against the priority of pure, virtue-based accounts of argumentative norms [VA]. Such accounts are agent-based and committed to the priority thesis: good arguments and arguing well are explained in terms of some prior notion of the virtuous arguer arguing virtuously. Two problems with the priority thesis are identified. First, the definitional problem: virtuous arguers arguing virtuously are neither sufficient nor necessary for good arguments. Second, the priority problem: the goodness of arguments is not explained virtuously. Instead, being excellences, virtues are instrumental in relation to other, non-aretaic goods – in this case, reason and rationality. Virtues neither constitute reasons nor explain their goodness. Two options remain for VA: either provide some account of reason and rationality in virtuous terms, or accept them as given but non-aretaic goods. The latter option, though more viable, demands the concession that VA cannot provide the core norms of argumentation theory.

**KEYWORDS:** argument norms; good argument; priority thesis; rationality; reason; virtue; virtue argumentation; virtuous arguer

## 1. Introduction

Minimally, there are three ontological constituents of argumentation: actors (arguers and audiences), arguments (the things that are transacted between arguers and their audiences), and arguing (the activities by which arguments are transacted).<sup>1</sup>

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<sup>1</sup> This list remains neutral with respect to the ontological priority of these constituents.

Traditionally, normative theories of argumentation have focused on argument products (arguments1).<sup>2</sup> Here, the locus of argumentation evaluation is the *good argument*: the central normative object is an *object* (argument1: a set of sentences, claims, or propositions), and the normatively-relevant features are *adjectival*, structural properties (e.g., validity) of these objects, or adjectival properties (e.g., truth, acceptability) of, and relations (e.g., entailment, evidential support) between, the constituents of those objects (e.g., premises and conclusions).<sup>3</sup> (Call these *object-based*, or *product-based* approaches.)

Developments in the last fifty years or so have prompted theorists to recognize that arguments1 naturally occur as situated artifacts, transacted or deployed by more-or-less rational agents in more-or-less well-defined contexts to achieve more-or-less well-defined purposes. That is, arguments1 are the natural products of activities of arguing (arguments2). And, it is now widely accepted that facts about arguments2 have a bearing on both the descriptive and the normative study of arguments1.

While product-based approaches (e.g., informal logic) remain focused on arguments1 in the study of argumentation, process- or procedure-based approaches (e.g., dialogic, pragmatic, rhetorical, or speech-communicative approaches) have taken the *activity* of arguing as the primary object of study and locus of value. Here, the locus of argumentation evaluation is *arguing well*: the central normative object is an *activity* (e.g., argument2: a complex speech act, or interpersonal activity), and the normatively relevant features are *adverbial* qualities of that act (e.g., satisfying certain felicity conditions, or being performed according to certain dialectical rules), or of the sub-components of that act. The merits of *what* is argued depend upon, and are explained by, *how* it is argued. (Call these *activity-based* approaches.)

Virtue-theoretic approaches to argumentation take this development a step further by advising that arguers, rather than arguments (1 or 2), are the proper locus of evaluation. On such a view, argumentative actors (the producers and consumers of arguments) are the central normative objects of the theory, and the normatively relevant features are qualities, specifically virtues, of those agents. (Call these *agent-based* approaches.) While there may be others, virtue-theoretic approaches to argumentation [VA] are the cardinal examples of agent-based approaches to argumentative norms. Cohen, for example, writes that “The overall orientation is agent-based: a good argument is one that has been

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Granting that the natural-world, causal priority is actor, activity, product, some theorists might hold that the ontological order matches this causal order (that argument products are produced through the activity of arguing which, in turn, presupposes agents engaged in the activity), while other theorists might maintain that there are abstract objects (e.g., argument types or activity types) that can precede individual, agent-initiated acts of arguing such that the product or the activity have ontological priority.

As distinct from any ontological or causal priority, this paper is concerned with the logical and explanatory priority of these constituents.

<sup>2</sup> O’Keefe (1977) distinguished two concepts of “argument”: argument1, or *arguing that*, and argument2, or *arguing about*, where the first is a communicative act that a person makes while the second is a communicative activity that two or more people engage in. Brockriede (1977) clarified this distinction in terms of *product* (argument1) and *process* (argument2), to which Wenzel (1980) added the third perspective of *procedure*.

<sup>3</sup> This grammatical way of characterizing the relations between the approaches is borrowed from Cohen (2008; 2013b: 482).

conducted virtuously” (2007b: 1). Similarly, Aberdeen claims: “Virtue theories are explicitly agent-based, rather than act-based,” and “a virtue theoretic approach to argument must focus on agents rather than actions” (2010: 169, 171). On an agent-based approach, according to the *priority thesis*, the *good* or *virtuous arguer* stands at the center of the theory as the primary object of study and the locus of normative value.

This paper argues against the priority of pure, virtue-based accounts of argumentative norms. Purely virtuistic accounts of argumentative norms are agent-based, claiming that the virtuous arguer arguing virtuously provides the core argumentative goods from which all other argumentative goods and norms are derived, and by which they are explained. According to the priority thesis, arguing well is explained in terms of what a virtuous arguer does when arguing virtuously. A good argument, in turn, is explained as the kind of argument a virtuous arguer would use when arguing well. The paper identifies two problems with accepting the priority thesis. First, according to the definitional problem, a virtuous arguer arguing virtuously is neither sufficient nor necessary for a good argument, as the examples of the *virtuous but unreliable arguer* and the *sophistical arguer* show. Second, according to the priority problem, the goodness of arguments is not explained virtuously. Instead, being excellences, virtues are defined instrumentally in relation to other, non-aretaic goods – in this case, reason and rationality. And, as the case of the *virtue-theoretic arguer* shows, virtues neither constitute reasons nor explain their goodness. This leaves the virtue argumentation theorist with two options: either provide some account of reason and rationality in exclusively virtuistic terms, or accept them as given but non-aretaic goods. While the latter option seems more viable, it demands the concession that basic argumentative goods are not aretaic in nature, and hence that virtue argumentation theory cannot provide the core norms of argumentation theory.

## 2. Varieties of Virtue Theories: An Overview and Typology

Virtue-theoretic approaches to argumentation emerged from the work of virtue epistemology, which in turn was inspired by virtue-theoretic approaches to ethics. As such, it is worthwhile to briefly review the different kinds of virtue theories to give us a picture of the different versions to be considered.

Several different categorizations of virtue epistemologies exist. First, Battaly (2012: 5ff.) distinguishes between *virtue theories* and *virtue anti-theories*. While the former seek to supply some robust, comprehensive, and systematic account of their subject matter in virtuistic terms, anti-theories reject the idea that there are comprehensive and systematic connections between virtues and the subject matter to be explained. Anti-theories are further divided into *expansionist* and *eliminativist* varieties. Expansionism seeks to supplement the results of existing approaches, while eliminativism seeks to replace existing approaches.

Along a different axis, *character-based* or *responsibilist* approaches (called *virtue responsibilism*) are distinguished from *faculty-based* or *reliabilist* approaches (called *virtue reliabilism*) (Axtell 2000: xiv-xix; cf. Battaly 2012: 9-17; Baehr 2012: 34). Virtue reliabilists (e.g., Sosa, Greco) identify virtues as cognitive faculties such as perception which most readily apply to instances of low-grade knowledge, such as perceptual

knowledge (Battaly 2012: 17-22).<sup>4</sup> By contrast, virtue responsibilism (e.g., Code, Montmarquet) identifies virtues as skills, dispositions, habits, or character traits that are typically acquired through training and practice, such as open-mindedness.

Within character-based, responsibilist approaches, Baehr (2011, 2012) further distinguishes between *conservative* approaches and *autonomous* approaches (2012: 35ff). *Conservative* approaches retain the standard docket of disciplinary problems but use a virtue-specific approach to their solution or dissolution. *Strong conservative* approaches “save the day” by using a virtue-specific approach to provide some putatively uniquely effective resolution to traditional problems in the field. *Weak conservative* approaches take a virtue-based perspective on traditional problems thereby revealing useful, though supplementary or peripheral, points of theoretical interest. *Autonomous* approaches, by contrast, change the theoretical agenda rather than engage with the existing one. Of the autonomous approaches, Baehr distinguishes the radical from the moderate. *Moderate autonomous* approaches have an expansionist tenor, seeking new questions that supplement and complement traditional approaches, while *radical autonomous* approaches have a more eliminative tone, seeking to “replace or supplant traditional concerns.”

### 3. Virtue-Theoretic Approaches to Argumentation

Early efforts in the virtue-theoretic program in argumentation have the flavor of an *expansionist, responsibilist anti-theory* that is both *weakly conservative* and *moderately autonomous*.<sup>5</sup>

Its early advocates, particularly Cohen, sought not only to provide a new perspective on the phenomena of study in argumentation, but to show that existing approaches lack the theoretical resources to solve standing problems and are too narrowly focused on structural properties (e.g., validity) such that they fail to recognize important aspects of the phenomena under study. For example, Cohen (2013b: 475, 479) gives examples of what Paglieri (2014; forthcoming) would later call *balid* arguments: “cases in which validity does not rescue the argument from its terminal badness” (e.g., by being viciously circular and hence failing entirely to provide reasons for their conclusions).<sup>6</sup> In a similar spirit, Cohen’s (2005) “Arguments that backfire,” describes a bestiary of awful arguers who frequently succeed in lowering an audience’s confidence in their conclusions by conspicuously failing to argue well or appropriately for them, despite the fact that, from a purely logical perspective, this should never occur.<sup>7</sup>

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<sup>4</sup> But see Brandom’s “Insights and blindspots of reliabilism” (2000: ch.3).

<sup>5</sup> For a biographical and anecdotal history, see Cohen (2013b: 473ff). Paglieri (2014; forthcoming) offers a similar way of categorizing virtue theories of argumentation.

<sup>6</sup> Importantly, VA is not required to reveal, explain, or remedy this sort of problem. Existing epistemic approaches to arguments have this type of problem well in hand.

<sup>7</sup> From a purely logical perspective, the badness of an argument has to do with the connection that obtains (or fails to obtain) between the premises and the conclusion. Thus, failed arguments should never lower the initial acceptability of their conclusions; rather they should only fail to raise that initial acceptability. Yet,

As an antidote to these maladies of existing theory, Cohen (2008, 2013b) recommends expanding our concept of argumentative goodness to include what he calls the “fully satisfying argument” (2013b: 479). Doing so, according to Cohen, requires a “robust” (2008) or “thick” (2013b: 480) concept of argument that includes arguers and their virtues in its conception. “To understand what makes an argument a *good* argument in this robust sense, we need to look at the virtues of good arguers” (Cohen 2008).<sup>8</sup> The expansionist elements of the early virtue program, then, arise from an apparent inadequacy of existing normative theories to resolve standing questions of argument evaluation.

The weakly conservative elements of the VA program are perhaps best seen by the reparative attitude they take to existing approaches to argument fallacy (Cohen 2005: 64). Aberdein (2010: 171), for example, recommends that virtue theory may be used to distinguish between legitimate and fallacious ad hominem arguments: “negative ethotic argument is a legitimate move precisely when it is used to draw attention to argumentational vice.” Aberdein (2013) develops this thesis and extends it to other fallacies. Thus, the “aretaic turn” in argumentation can begin with the recognition that existing normative categories and criteria are insufficient to fully or adequately answer normative questions in the theory.

In addition to its weakly conservative elements, the expansionism of the VA program also moves in the direction of a moderate autonomy, calling for the recognition of previously neglected dimensions of argumentative phenomena that require inclusion in our theories. For example, Cohen advertises that the agent-based approach of VA re-orientes argumentation theory in relation to its subject matter.

As a result it will be a *broader* perspective, capable of bringing disparate parts of the field into a larger whole and reshaping the disciplinary agenda. 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* we should argue ... [and] not argue. (Cohen, 2007b: 1)

Cohen (2007b: 6; cf. 2007a) proceeds to offer a list of argumentative goods not standardly incorporated in product-centric, “good reasons” theories of arguments – goods like a deepened understanding of one’s own view or another’s, which (i) result from argument, and (ii) represent cognitive advances, but which (iii) do not occur as the result of any straightforward modification of a belief set. More generally, Cohen (2007a; 2007b: 4) advocates that teaching critical inquiry is best conceived of not as instruction on what is good to believe, or even as training on how to reason well, but the cultivation of a certain type of thinker: the critical, or virtuous, thinker.

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Cohen (2005) provides examples of argument types that, ordinarily, would raise an audience’s suspicions about their conclusions, thereby lowering their acceptability.

<sup>8</sup> Some of the early sources on VA, particularly those of Cohen, exist only in the form of talks given at academic conferences. The author has graciously provided copies of the texts of these talks (some of which are already cited in the existing literature) and has granted permission to cite and quote from them. Wherever possible, I have quoted from materials published in print and give the page number when doing so. When quoting from talks, I cite only the talk itself (by its year).

The kinds of virtues advanced by VA tend to be responsibilist in nature, including things like willingness to engage in argumentation, willingness to listen to others, willingness to modify one's own position, and willingness to question the obvious (Aberdein 2010: 175). Cohen (2007a) argues that critical virtues, including things like open-mindedness and a sense of proportionality, are different from epistemic virtues, and that whether a certain characteristic is a virtue can depend on the argumentative role that a reasoner occupies.

Finally, though the early advocates of VA champion the benefits of an agent-based approach to argumentation, what is offered is a perspective and an attendant set of concepts intended to supplement existing theoretical tools and methods, rather than a complete theory. Though Cohen for example, claims that "focusing on arguers provides a healthy complement to traditional argument evaluation..." (2005: 59), in the end he concedes that even though "[v]irtues ... provide a particularly good lens for thinking about our questions, but ultimately there are limits to their theoretical utility. They cannot underwrite a complete account" (2013b: 473).

#### 4. Agent-Based Argumentative Norms

In a certain manner, agent-based approaches can co-exist alongside product-based and activity-based approaches in a symbiotic relationship that contributes to their mutual flourishing. Rather than compete with each other, they can be seen as offering complementary perspectives on the same set of phenomena and its attendant problems. Yet in another sense, this theoretical symbiosis masks underlying questions concerning the theoretical and normative priority of the different approaches.

For product-centric approaches, both arguing well and good arguers are explained by recourse to a prior and independent notion of good argument. On such a view, arguing well is essentially a matter of deploying good arguments, and good arguers are arguers who argue well.<sup>9</sup> (Such accounts can be, and frequently are, supplemented by pragmatic or rhetorical concerns that contribute to a normative theory of argumentation by determining when the use of a good argument is felicitous or effective (persuasive), or when pragmatic considerations (e.g., conversational implicature) function materially in the analysis or evaluation of argument.) By contrast, in activity-based approaches, the notion of arguing well is basic, and the goodness of both arguments<sup>1</sup> and arguers is explained by reference to the adverbial qualities of the activities of arguing. (Again, such theories often import product-based concepts, such as validity or evidential strength, into their product line but seek to explain their argumentative normativity as process-based.)

Agent-based approaches to argumentation theory, such as virtue-theoretic accounts, advise us to take arguers and their qualities as primary, and as prescriptive and explanatory over argumentative activities and their products. Here, arguing well is explained in terms of a prior notion of what a virtuous arguer does, or would do, and good arguments are explained as the kinds of arguments that virtuous arguers would use

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<sup>9</sup> For example, *Bowell and Kingsbury (2013: 23)* write: "we think that what makes it the case that an arguer has argued well is that they have presented an argument that is good," where the goodness of an argument is a function of its ability "to provide its intended audience with good reasons to accept its conclusion."

when arguing well. As such, the goodness and badness of arguments (1 and 2) are explained in terms of the qualities of arguers.

To appreciate this, consider Cohen's account of the nature of a good argument. Having made the case for an expanded understanding of goodness as it applies to arguments (see above) Cohen (2008) claims: "To understand what makes an argument a *good* argument in this robust sense, we need to look at the virtues of good arguers," and proceeds to offer the following principle (2008):

*A good argument is one in which arguers have argued virtuously.*<sup>10</sup>

As Cohen (2008) elaborates, his principle demands two changes in argumentation evaluation:

First, the adjective *good* is replaced by the adverb *virtuously* ... [which] shifts the focus from the *product* of argumentation to the *process* of argumentation, as in dialectical approaches to argumentation. The second change, from *arguments* to *arguers* broadens that focus from the *actions* that constitute an argument to encompass the *agents* that perform them. Properly speaking, the central concept is neither virtuous actions nor virtuous agents but *agents-acting-virtuously*, complete with its oblique reference to standing properties of character.

Accordingly, for VA the central and basic normative concept of argumentation theory is the *virtuous arguer arguing virtuously*.<sup>11</sup>

Such an approach seems to contain basic elements from both agent-based and process-based approaches. After all, arguing well seems to be a theoretically primitive value on this formulation. Yet, to maintain its autonomy from process-based (e.g., dialectical) approaches, VA must supply its own account of arguing well defined purely in terms of the exercise of virtues of arguers.

As Aberdein (2010: 170) recognizes, "it is entirely reasonable to speak of the 'virtues of an argument'," making these kinds of virtues basic or primitive and then defining the virtues of arguers in terms of the virtues of arguments such that "the virtuous arguer [is] one disposed to advance or accept virtuous arguments." Yet Aberdein claims that such an arrangement does not result in a properly virtue-theoretic approach:

the virtue talk in this approach would be *merely ornamental* since the 'virtues of an argument' could presumably be cashed out in terms of more familiar forms of

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<sup>10</sup> More recently, Cohen (2013b: 482) asserts that "the core ideas of Virtue Argumentation Theory, as I understand it, can fit on a couple of bumper stickers. First, *For a good argument, argue well.* ... [and second] *Arguing well requires good arguers.*"

<sup>11</sup> At least part of the point for this qualification is that not all qualities of the virtuous arguer contribute to a normative account of argumentation: e.g., their diet or sartorial preferences are normally irrelevant. Rather the qualities proposed as normatively relevant by VA are the specifically *argumentative* virtues of the virtuous arguer – their qualities *qua* virtuous arguer – and their virtues as an arguer are manifested, actualized, or exhibited when they are arguing virtuously.

argument appraisal. *Hence if a virtue theory of argumentation is to do any work, it must be agent-based.* (2010: 170, emphasis added)

## 5. An Issue of Priority

The centrality of agents as the primary locus of argumentative value marks the site of several contentious issues residing at the very core of normative theories of argumentation. In essence, the matter is one of logical (or conceptual) and explanatory priority. In the order of explanation (as distinct from any ontological or causal ordering), what are the basic or fundamental goods of argumentation, or the primary values and norms of argumentation theory? And, relatedly, what are the logically primary bearers of value in the theory? Specifically, are they agents, actions, or artifacts? As a corollary, is virtue-based argumentation theory freestanding and self-supporting, or must it instead rely on prior and independent concepts, qualities, values, or norms?

In the virtue-theoretic literature this is often referred to as the *priority thesis* (Blackburn 2001: 15ff.; Battaly 2012: 4). Slote (1995: 84), for example, distinguishes between *agent-based* and *agent-focused* virtue theories according to whether *aretaic facts* are both primary and explanatory in relation to concepts, properties, values, or truths in non-aretaic domains. Similarly Zagzebski (1996: 79) defines a *pure virtue theory* as one that “makes the concept of a right act derivative from the concept of a virtue or some inner state of a person that is a component of virtue.”<sup>12</sup>

Following Blackburn (2001: 15), the central normative tenets of a purely virtuous, agent-based argumentation theory might be formulated as follows:

### **VA Good argument (definition):**

*An argument1 is<sub>(df)</sub> a good argument if and only if it is one that a virtuous arguer arguing virtuously would use.*

### **VA Arguing well (definition):**

*An argument2 is<sub>(df)</sub> argued well if and only if it is conducted in the way that a virtuous arguer arguing virtuously would argue.*

These definitions highlight at least two critical components of a purely virtue-theoretic, agent-based approach to argumentative values and norms. First is the definitional idea that the central concept of VA, the virtuous arguer arguing virtuously, provides necessary and sufficient conditions for argumentative values and norms. Second is the priority idea that the above definitions are to be read right-to-left. That is, that the virtue-theoretic elements of VA are genuinely basic or primitive – that they can be specified prior to, and independently of, any other kind of argumentative value or norm, of which they are

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<sup>12</sup> This is in contrast to what I call below an *instrumental* account of virtue, which (in a moral context) Zagzebski (1996: 81-82) attributes to Aristotle and Hursthouse. On an instrumental account, “the order of the fundamental moral concepts is as follows. The good in the sense of *eudaimonia* is conceptually foundational. The concept of a virtue is derivative from the concept of *eudaimonia* and the concept of a right act is derivative from the concept of virtue. ... Virtue is good because of its connection to the thing that is more fundamentally good, namely, *eudaimonia*.”

supposedly definitive and explanatory. Each of these components gives rise to a problem, which I call the *definitional problem* and the *priority problem* respectively.

## 6. Definitional Problem: A Preliminary Case Against Agent-Priority

Approaching the definitional problem, notice that, *prima facie*, the notions of good arguments<sup>1</sup> and good arguers can come apart (Bondy 2013: 5). If so, then virtuous arguers arguing virtuously is neither sufficient nor necessary for good argument<sup>1</sup>.<sup>13</sup>

To appreciate this point, consider two additional types of arguers that might be found in the vicinity of Cohen’s menagerie. Consider first the *virtuous but unreliable arguer*. This arguer is completely virtuous in the sense that they have all the argumentative, critical, and intellectual virtues standardly listed by virtue argumentation theorists (who, importantly, have opted for an exclusively responsibilist picture of virtue). Yet, the virtuous but unreliable arguer is completely *sophistical* in that, despite all their virtues, they nevertheless continually and unwittingly make the lesser argument appear the better. Somehow and to their great misfortune, their assiduous exercise of argumentative virtue perennially misfires because, unbeknownst to them, their underlying intellectual (perceptual and cognitive) faculties are entirely unreliable.<sup>14</sup> Now, although their

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<sup>13</sup> This section provides counter examples to the VA definition of good argument<sup>1</sup>, though I hold that similar counter examples can be constructed for the VA definition of arguing<sup>2</sup> well.

In his (2008) Cohen addresses a similar objection, attributed to Jonathan Adler, to the VA program. There, Cohen’s defense against this criticism relies on the claim that the objection rests on “the conflation of moral virtues and argumentative virtues [which] is not a necessary part of the virtue argumentation program.” In what follows, I seek to assiduously avoid any such conflation by specifying the relevant virtues as those advertised by VA theorists as specifically argumentative.

<sup>14</sup> It might be objected that the success of this counter-example trades on an unacceptable account of virtue which, as one reviewer suggested, at least “implies excellence in a domain of choice or action” yet which seems to be lacking in the supposedly virtuous but unreliable arguer.

It must be conceded that adding a sufficiently reliabilist component to our account of the nature of virtue, for example by stipulating that virtuous arguers are more likely than non-virtuous arguers to exhibit some desirable property (e.g., having rationally justified, or true, beliefs) or to arrive at some desirable end (e.g., rationally justified or true beliefs), undermines this line of argument.

In reply to this objection, several points can be raised. First, to date, VA has opted almost exclusively for a responsibilist account of argumentative virtue (cf. Cohen 2005: 64; Aberdein 2010: 175; 2013: 2-3) such that the possession and exercise of argumentative virtue is entirely consistent with a pronounced, if not complete, lack of reliability concerning the alethic, epistemic, and even rational ends of argumentation. (Cohen (2007b: 2, *passim*) explicitly advocates for an expansionist vision of argumentative goods to include cognitive but non-epistemic goals and achievements.) Second, it might seem as though adding a sufficiently reliabilist dimension to our account of argumentative virtue might solve the problem. Yet, having made such a move, it would seem that the responsibilist elements of virtue are swamped by their stipulated reliability. For example, supposing that the agent is reliable, what does it matter whether they responsibly exercised this reliability rather than that their reliability is irresponsibly achieved? Similarly, supposing them to be unreliable, what interest should we have in whether they exercised their unreliability responsibly? Indeed, emphasizing the reliabilist elements of virtue would seem to encourage a reliabilist theory of argumentation, not a virtue-based account. To retain a significant responsibilist element of virtue, it would seem that we require an instrumentalist account of it – a position claiming that a responsible exercise of our capacities and skills makes us reliable, or at least more reliable than we would otherwise be. Lastly then, adopting a more reliabilist account of virtue further commits the VA theorist to an

underlying unreliability is completely hidden from them, it is entirely apparent to us. To us, it is obvious that the reasons of the virtuous but unreliable arguer are either manifestly unacceptable, woefully insufficient, or plainly irrelevant. The question is: are their arguments good? Do they argue well? To my thinking, the answer is clearly “no” on both counts. *We should not be moved by their arguments.* Despite the fact that they are virtuous arguers arguing virtuously, the reasons they offer are bad reasons, and we should not accept conclusions drawn on the basis of them. Further, there is no contradiction in stipulating that the virtuous but unreliable arguers’ conclusions are, objectively speaking, completely unwarranted and unsupported by the reasons they offer. Seemingly then, an arguer’s acting virtuously should not matter when considering the probative merits of their arguments<sup>1</sup>. As such, arguing virtuously is not sufficient for the goodness of arguments<sup>1</sup> in any ordinary (i.e., pre-theoretical) sense.

Consider next the *sophistical arguer*. The sophistical arguer is not the arguer who schemingly makes the lesser argument appear the better. Nor do they unwittingly do so. Rather, they are vicious in an entirely different sort of way. The sophistical arguer possesses *nearly* all of the responsibilist argumentative virtues advertised by the VA theorist, and they exercise them all well. Moreover, they are reliable. They are consummate technicians, excellent at detecting, evaluating, and presenting evidence. They are tenacious and courageous in all the right ways, while being open-minded to consider alternatives and detect objections to their claims, all of which they address convincingly. In effect, they are exemplary, if not superlative, arguers. Yet, their sophistry lies in the fact that they, themselves, are not at all open-minded. Their own views are never on the table in an argumentative exchange, and they feel no sense of obligation to comport their cognitive selves according to the force of the better reason. The sophistical arguer is the sociopath of argumentation. They are incredibly good fakers: they manifest all of the virtues externally, but none of them internally (except in what is required to ‘pass’). They are not motivated by virtue or by any epistemic or dialectical goals (e.g., rational belief or reconciliation), but instead by (say) winning, at which they are remarkably successful. Realizing that their interlocutors are, for the most part, believers of the true and lovers of the good, they present themselves and their reasons accordingly. As such, although all of their acts of arguing are entirely insincere, they are remarkably good at making the better argument appear the better, though they themselves remain entirely unmoved by such arguments. I take it that the sophistical arguer is not virtuous in the relevant sense since, like the Deaf Dogmatist, they are entirely unwilling to modify their own view on the basis of reasons given in argument.<sup>15</sup> Now we may ask the same question: Are their arguments good? Do they argue well? To my thinking, the answer here is clearly “yes” – at least in a very important sense. That is,

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instrumentalist account of virtue (discussed below in §8) which, in turn, detracts from any claim to the priority of virtue, or indigenously aretaic goods, in argumentation.

<sup>15</sup> As such, I take the dogmatism of the sophistical arguer not merely to be a *moral* failing of theirs, but a rational, or *argumentative* one. Indeed the sophistical arguer lacks what might be the quintessential argumentative virtue, namely a willingness to change one’s mind in the face of the better reason. Willingness to modify one’s position is identified by both Cohen (2005: 64) and Aberdein (2010: 175; 2013: 2-3) as an explicitly argumentative virtue, while Godden (2014: 137 ff.) identifies it as a basic rational responsibility.

*we should be moved by their arguments.* Despite the fact that they are vicious arguers arguing viciously, the reasons they offer are good reasons – reasons we should endorse when rightly accepting their conclusions. Importantly then, an arguer’s lacking virtue should not matter when considering the probative merits of their arguments<sup>1</sup>. Thus, arguing virtuously is not necessary for the goodness of arguments<sup>1</sup> in any ordinary sense either.

This point can be amplified by imagining automated devices that can simulate the activity of giving and asking for reasons. Consider first actually existing devices such as proof generating or checking programs. Suppose that, like chess programs, such devices are not actual agents – not only do they lack any internality or intensionality, they lack a fully-fledged form of life.<sup>16</sup> Although they are instruments that can reliably discriminate some salient difference (as such, they qualify as information processors), they are entirely incapable of engaging in the relevant normative practices (e.g., justifying their ‘actions’ according to a rule) to be properly described as agents engaging in the relevant activity (e.g., playing chess or proving theorems). Since they are not agents, they cannot be virtuous agents. It is a decidedly odd question to ask whether such a contraption can, say, play chess *well*. It cannot play chess *at all*, yet it beats me every time! Indeed, we might learn how to play chess well from it, and it can certainly produce recognizably good chess moves (i.e., moves that we recognize as good). Imagine now a similar technology that reliably detects, or produces, good and bad arguments, or arguments conducted well or poorly. We can even stipulate that it does so by means of *whatever* norms are preferred (it has a selector switch!): it is capable of generating arguments<sup>1</sup> that are cogent, dialectically adequate, rhetorically persuasive, or extensionally equivalent to ones that a virtuous arguer arguing virtuously would give. Yet, by hypothesis, such a device is entirely incapable of arguing – whatever is going on with it, it isn’t making moves in the game of giving and asking for reasons. (Rather, what it produces is something *we* recognize as an argument.) As such, it cannot argue well. Further it is not even an arguer; to call it such is a category mistake. As such, it cannot be a virtuous arguer. Just as we can recognize the outputs of the chess program as good chess moves, so can we rightly recognize the outputs of the argument program as good arguments<sup>1</sup>. Moreover, as with the sophisticated arguer, we ought to be moved by the arguments<sup>1</sup> produced by such a device, even though the device is not merely not-virtuous, it is entirely incapable of virtue.

Seemingly, the probative merits of arguments<sup>1</sup> are independent of the virtue (or even the capacity for virtue) of the arguers advancing them, or generally of the means by which they were produced. Thus, it would seem as though the first, definitional component of a purely virtue-theoretic, agent-based approach to argumentative values and norms is false. While this counts against any eliminativist or strongly conservative aspirations of VA, it might still allow for an expansionist program with weakly conservative and moderately autonomous dimensions. And, seemingly, this is all that VA had advertised itself as offering. So, perhaps the definitional problem impacts the overall

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<sup>16</sup> Importantly, the merits of this point do not rest on whether one accepts the claim that such devices, in fact, lack the relevant agency. Rather, the mere conceivability or coherence of examples where cogent arguments are produced by non-agents demonstrates the conceptual independence of argument cogency and arguer agency.

VA program relatively little. On the other hand, that having-been-argued-by-a-virtuous-arguer-arguing-virtuously is not even a necessary condition for argumental goodness is a clear strike against any purely virtuistic account of argumentative norms.

Of greater importance, though, is the second, priority component of a purely virtue-theoretic, agent-based approach to argumentative values and norms. MacPherson (2013), drawing on the work of Rachels and Rachels (2010), has argued that virtue theories are incomplete in that they lack the theoretical resources to (i) resolve conflicts of argumentative virtue and (ii) provide reasons why one should be a virtuous arguer. I contend that the problem goes much deeper even than this.

## 7. Priority Problem I: On Virtues as Means Between Opposing Vices

To initially bring the priority problem into focus, consider a virtuistic way of identifying argumentative virtues. Aristotle told us that virtue lay, according to the doctrine of the mean, somewhere midway between two opposite vices. For example, Aberdein (2013: 2) attributes to Cohen (2005: 64) an Aristotelian account of argumentative virtue whereby “virtues are understood as means between pairs of vices.” The virtue of *willingness to listen or modify one’s view* is situated between the Deaf Dogmatist and the Concessionaire; *willingness to question* is a mean between the Eager Believer and the Unassuring Assurer; and *willingness to engage* falls between the vices of the Quietist and the Argument Provocateur (cf. Aberdein 2010: 174 for descriptions of these characteristically vicious arguers). Cohen himself came to embrace this virtuistic approach, saying of open-mindedness that “it is generally thought of as the virtuous form of the skill whose lack is dogmatic closed-mindedness and whose excess is credulity” (2013a: 18).<sup>17</sup>

For the sake of argument, let us suppose this view for a moment. Yet having done so, we might still ask: is something’s falling on a mean between two vices constitutive of its being a virtue, or merely criterial of virtuousness? Is something a virtue *because* it falls along a mean, or does it fall along a mean *because* it is a virtue? That is, is its virtuousness due to something else, specifically something extra-virtuistic?

By analogy, we might consider knowledge as a mean between two opposing epistemic vices: ignorance on the one hand and error on the other. Yet, how shall we know what satisfies this mean? Consider two rational policies (i.e., policies for belief acquisition, retention, change, and abandonment) corresponding to the respective epistemic vices. First, we might *believe nothing*: while this is a fine policy for error avoidance, it has the undesirable consequence of embracing a global ignorance. Alternately, we might *believe everything*: this policy successfully avoids all ignorance, but only at the cost of admitting all error as well. Clearly, both are abysmal policies for acquiring knowledge. Perhaps a middle way between ignorance and error is what is

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<sup>17</sup> Cohen does this in the context of providing a warning about the view that a virtue is located in a linear fashion between two polar opposites. “This account misses something important: being closed-minded is *not* the only way [to] lack the virtue of being open-minded. An open mind is being open to reason, so being inattentive or uninterested is the fundamental equivalent of willful, dogmatic deafness to reasons. A disengaged spectator is no more persuadable than one whose mind is made up” (2013a: 18). That is, there can be a multitude, falling along different axes, of vices in the vicinity of a virtue.

required here: *believe only half of what you hear* (every other sentence, or source, for example). Yet, clearly, such a policy is just as disastrous as either of the first two. It is obviously arbitrary, and hence irrational. Rather, we should want to accept only what is worthy of belief (what is true, sufficiently likely, or presumptively acceptable if the situation demands), and to withhold belief on everything else. Here's a far better policy: *believe only what you have sufficiently good reason to accept*. Such a policy, if followed judiciously by a reliable agent, should strike a reasonable and prudent balance between ignorance and error. Yet importantly, while it is true that the policy *falls somewhere between* believing nothing and believing everything, it is not *located according to* any mean or midpoint. Rather, its place in between these epistemically vicious rational policies is determined by an entirely independent, non-aretaic normative condition – namely, a *good reason*.

A similar point can be made about the argumentative virtues. Reasonable, prudent, even remotely plausible policies – let alone virtuous ones – on matters of willingness to question, willingness to engage, and willingness to modify one's views (to use Cohen's and Aberdeen's examples of argumentative virtues) are not to be found by "splitting the difference" between two alternatively vicious extremes. (Notice further, incidentally, that the viciousness of the extreme vices has yet to be explained.) It is patently preposterous that I should, in striking a mean between the Deaf Dogmatist and the Concessionaire, modify my own view on every other occasion that I encounter some view that does not agree with my own. Rather, I should modify my view only when I have *good reason* to accept that the other view is preferable, in some respect, to my present position. That is, suitable policies on questioning, engagement, and modification of one's position must be formulated by reference to non-aretaic properties, values, and facts, such as the notion of a *good reason*.

## 8. Priority Problem II: On Virtues as Excellences and the Norm of Reason

Another way to apprehend the priority problem is to recognize that virtues are excellences. Excellence, though, is standardly understood as a functional value; it is an instrumental measure that can only be defined in relation to some telos (purpose or ideal). (Call these *instrumental accounts* of virtue.) Importantly, VA has adopted an instrumental account of argumentative virtue. What is a virtue relative to one end or goal needn't be a virtue for some other end or goal. Cohen (2007a), for example, observes that epistemic virtues (where the goal is knowledge) needn't be the same as critical or cognitive virtues (where the goals can be different than knowledge).<sup>18</sup> Thus, Cohen claims, argumentative virtues are identified relative to the goals of argumentation. "We argue virtuously when we exhibit those acquired habits of mind that are conducive to one of argumentation's characteristic cognitive achievements" (Cohen 2007b: 8).<sup>19</sup>

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<sup>18</sup> Cohen (2007a) gives the example of open-mindedness, noting that it can be detrimental in the pursuit of knowledge. By risking existing beliefs by placing them open to question, open-mindedness may be a risky or counter-productive cognitive strategy for agents possessing mostly true, justified beliefs.

<sup>19</sup> Cohen takes a similar approach when identifying critical virtues. "[C]ritical virtues," Cohen (2007a) stipulates "are the acquired habits and skills that help us to achieve the goals of critical thinking," and "can

The question then becomes: what are the specifically, uniquely, or essentially argumentative goods or achievements in relation to which argumentative virtues can be identified? For example, moral virtues are specified in terms of their conduciveness to the good life, *eudaimonia*. Aberdein (2010: 173) realizes the centrality of this question to the VA project, writing

This raises the question of what the virtues of the ideal arguer are expected to track. Ethical virtues track the good: virtuous people are disposed to do good things. Epistemological virtues track the truth: virtuous knowers are disposed to believe true propositions. What should argumentative virtues track?

In this light, Cohen's move (2007a; 2007b: 6ff.) to expand the list of goods, or cognitive achievements, achieved through argumentation is not theoretically neutral.<sup>20</sup> Nor is his expansive account of how argumentation can achieve these ends.<sup>21</sup>

Aberdein's answer (2010: 173) is that the central argumentative goal is *veritistic* in nature: "the virtues of argument *propagate* truth: ... virtuous arguers are disposed to spread true beliefs around." Yet, as Bondy (2013: 5) observes, "there can be good arguments for false conclusions." In view of this, Bondy (2013: 6) proposes a *responsibilist* picture of the goal of argumentation such that

virtues of argumentation are dispositions to engage in argumentation in a *responsible* manner, where responsible engagement in argumentation involves accepting the conclusion on the basis of the premises, when (and only when) the premises give the arguers a good reason for thinking that the conclusion is true.

As such, "[v]irtuous arguers will be disposed to spread around good reasons for thinking that propositions are true," as well as good criticisms of unreasonable arguments (Bondy 2013: 6). While Bondy characterizes this goal as *responsibilist*, I will instead characterize it as *rational*. The goal of argumentation is to render its outcomes *rational*, or *reasonable* (which, for present purposes, I will use equivalently). Basically, to be rational is to base one's views on reasons by rightly responding to them (Brown 1988: 38; cf. Siegel 1988: 32; 2004: 598). Despite the variety of cognitive goods and argumentative means to those goods advertised by Cohen, I submit that the *distinctively* and *essentially* argumentative aspect of them is their connection to reason.

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be defined by the goods that they help us procure and by the accomplishments that they help us achieve in the course of argumentation."

<sup>20</sup> In addition to demonstrating rational entitlement to belief, rational persuasion and rationally achieved consensus, Cohen (2007b: 6; cf. 2007a) lists cognitive goods such as deepened understanding of a position, improvement of a position, increased attention to, and acknowledgement and appreciation of another's position.

<sup>21</sup> Cohen (2007b: 7; cf. 2007a) distinguishes four ways that argumentation can achieve these ends: (i) "what many take as the archetypical case" *providing reasons*, (ii) *being causes*, (iii) *being evidence*, and (iv) "(the most important, and a mixture of all of the above), arguments can be initiating *catalysts*, *occasions*, or *conditions* for other processes that eventuate in cognitive transformations."

In the final analysis, I think that we can hold Cohen to this position also. Cohen (2007b: 6) grants that *demonstrating rational entitlement, rational persuasion, and rationally achieved consensus* are among the standard goods achieved through argumentation, and (2007b: 7) that at least one of the ways argumentation achieves its various ends is by *providing reasons*. The point that Cohen doesn't emphasize is that this rational means to a rational end is distinctively and essentially argumentative. There are non-rational ways to achieve non-rational ends, both of which can be entirely worthwhile and meritorious, and each of which might also be achieved through argumentation. Yet, while non-rational goals achieved non-rationally can be accomplished through non-argumentative means, rational ends achieved rationally (i.e., by means of reasons) can only be achieved through reasoning and argumentation. As Cohen (2007b: 8) ultimately grants: "When we ask whether the argument was conducted virtuously, instead of asking about persuasion or consensus, we are indirectly implicating both *rational persuasion and rational consensus* as possible cognitive achievements." Thus, whatever the merits of the other goods we might include in our broader conception of the cognitive accomplishments of argumentation, they remain incidental when compared to the core business of argumentation: transacting and assessing reasons. The *core* goods of argumentation derive from the fact that it provides a rational means to a rational end.

Accepting that a virtue is an excellence, an argumentative virtue can generally be understood as an excellence in achieving rational ends by rational means (i.e., by means of reasons). And therein lies the priority problem. The ideas of reason and rationality, though distinctively argumentative goods and norms, cannot be formulated in virtuistic terms. Rather, the argumentative virtues are formulated in terms of their instrumentality to these *non-aretaic* ends.

### 9. Priority Problem III: On Virtuistic Reasons and Virtue Theoretic Reasoners

Finally, to fully comprehend the force of the priority problem, consider the kinds of reasons, or features that account for the goodness of reasons and reasoning, that VA should prescribe. Crucially, being agent-based, adopting a purely virtue-theoretic approach to argumentation has the consequence that the primary argumentative goods are properties of agents. Argumentative norms and goods of other kinds derive from, and are explained in terms of, these primary goods.

If a virtue-theoretic approach to argumentative norms is correct, then reasons, or rational norms, ought to be agent-based. Maximally, the very nature of a reason ought to be explained in virtuistic terms. Minimally, the features distinguishing good reasons from bad ought to be agent-relative. Either way, arguments *ad hominem* and *ad verecundiam* ought to feature prominently not only in our normative theories but our ordinary reasoning practices.

To date, critical assessments of the plausibility and viability of virtue-theoretic approaches to argumentation have focused on this agent-based approach to evaluating argumentation. Howell and Kingsbury (2013: 27) argue that virtue-theoretic approaches mistakenly focus on evaluating arguers even though the probative qualities of arguments are typically entirely independent of the characteristics of the arguers who offer them. Indeed they claim (2013: 26) that the legitimacy of *ad hominem* arguments is determined

when facts about the person making a claim have some bearing on the truth or acceptability of the claim being made – i.e., on the relevant non-aretaic property that is actually determining the goodness of the reason or argument.

In response, Aberdein (2013) claims that we *can* legitimately offer ad hominem and ad verecundiam arguments, and that agent-based approaches to argumentation evaluation remain viable. Yet, more interesting than the question *can* we legitimately offer agent-based reasons is the question *do* we? What do we actually and ordinarily do when offering reasons? What are the kinds of considerations we actually cite when offering and evaluating reasons?<sup>22</sup>

While this is an empirical question, let me cast it in a normative light. Imagine arguing with the *virtue-theoretic arguer*. The virtue-theoretic arguer exhibits all of the argumentative virtues in terms of their *being* open- and fair-minded, willing to question and engage; they are intellectually courageous and humble, fastidious and responsive, reliable and responsible, critical and accommodating – all in the right sorts of ways. Seemingly, these are the qualities of an ideal *arguer*, but what role do they play in arguing well and in good arguments? Specifically, do any of them constitute ideal *reasons*? Imagine, then, that the virtuous arguer is also a virtue-theoretic arguer. That is, imagine that they now proceed to offer *their having these qualities*, or *their having exercised these qualities on this occasion*, as reasons that their audiences should accept their claims or judge their arguments to be meritorious. At this point, the normative machinery of virtue argumentation seems to grind to a halt.

That the virtue-theoretic arguer is virtuous in his character and acts of arguing does not constitute a reason that his audience should endorse his arguments or adopt his views. Nor, indeed, does it constitute a reason for the virtue-theoretic arguer himself to adopt a view or approve of his own reasoning. And, the problem is not that the virtue-theoretic arguer might be unreliable in his argumentative acts despite his commendable exercise of virtue. The problem is that neither his capacity for virtue nor his exercise of it on some occasion provides any support for his claims.<sup>23</sup>

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<sup>22</sup> This direction of questioning and criticism was inspired by an incisive question posed by Jean Goodwin in the workshop on Virtue Argumentation Theory at the 15<sup>th</sup> Wake Forest University Biennial Argumentation Conference, Winston-Salem, NC, April 11, 2014. According to my notes, the gist of Goodwin’s question was: “Are there accusations of argumentative vice in actual argumentative practice?”

<sup>23</sup> This is not to say that we cannot, on occasion, use characteristics of arguers as a proxy for primary reasons, as we do, for example, when arguing from expert opinion, position to know, or (sometimes) testimony and sign. Yet, when we argue in these ways, we presume the cogency of the underlying reasons (i.e., those that the expert or attestor are presumed to know, or those that the sign is presumed to indicate), even though we do not directly appraise or even articulate them. Typically this is because we are not ourselves in a position to assess the primary reasons, either because they are not accessible to us or even if they were we are not competent to appraise them. Yet, in cases like these the characteristics of the arguer cited in argumentation are merely substitutes for the primary reasons. This can be seen by the fact that any failure or defect in the cogency of those primary reasons would either override (in the case of expertise) or undermine (in the case of position to know) any considerations cited in the character-based arguments *even when they do not contradict those character-based considerations*. Similarly, as Howell and Kingsbury (2013: 26ff) argue, purely ad hominem and ad verecundiam arguments are only legitimately used when the character of the arguer bears directly on the truth or acceptability of the claim at issue. Thus, it remains the case that, even though we can offer character-based arguments, purely virtuous accounts of these are mistaken to the extent that they substitute assessments of arguers for assessments of reasons.

Moreover, it is not even in reference to the virtues of arguers that the goodness of reasons is explained. The goodness of a reason is not explained by the fact that it was arrived at by an open-, fair-minded arguer who thoroughly and judiciously detected, examined and evaluated all the evidence, while being both intellectually courageous and humble, etc. Rather, the goodness of a reason is explained according to whether, and the extent to which, it *supports* a claim.

Reasons support claims by making them more plausible or likely given the reason than in its absence or falsity. The function of a reason is either demonstrative (when there is a logical relationship between premises and conclusion), or evidentiary / probative (when there is an epistemic relationship between premises and conclusion). The truth of the reason (or the arguer's acceptance of it as true) serves either to demonstrate (i.e., establish or make apparent) the truth of a claim, or to make the claim's being true more (apparently) likely than it would have been otherwise. As such, the reason-claim relationship obtains between truth-bearers – i.e., things capable of being true or false, such as propositions, or the assertoric contents of sentences. The goodness of a reason is a function of whether, and the extent to which, it supports a claim.

*Thus, support for claims originates in, and is explained by, the way reasons act, not the way reasoners act.* As such, the goodness of reasoning is distinguished, at least in its core dimensions, by the goodness of reasons not by the goodness of reasoners. While argumentative virtues might well prescribe the ways that we should go about working with reasons (and hence engage in argumentative practices), virtues neither constitute the reasons themselves nor are they the features on the basis of which the goodness of reasons are determined.

## 10. Conclusion: Priority and Theoretical Modesty

Although it is a truism that “people will find arguments in the vicinity of people” (Brockriede 1975), it by no means follows that arguers, rather than argument1-products or argument2-activities, are the proper locus of normative value and evaluation in argumentation theory. Virtue-theoretic approaches to argumentation prioritize arguers and their qualities, specifically their virtues and vices, over the other constituents of argumentation. According to the priority thesis: arguing well is explained in terms of some prior notion of what a virtuous arguer does when arguing virtuously, and a good argument is explained as the kind of argument a virtuous arguer would use when arguing well.

Purely virtuistic, agent-based approaches to argumentative norms are committed to the priority thesis. Yet, as argued above, the priority thesis is not tenable. As demonstrated by the cases of the *virtuous but unreliable arguer* and the *sophistical arguer*, it faces the definitional problem, according to which virtuous arguers arguing virtuously is neither a sufficient nor a necessary condition for argument1 goodness. Also, it faces the priority problem according to which virtue theoretic approaches to argumentation require a set of non-aretaic concepts, values, and norms in order to be operational. By themselves, purely virtuistic theories seem incapable of locating virtues or of explaining their merit. Rather, a virtue seems to be an instrumental concept defined in reference to some non-aretaic good, like *eudaimonia* in the case of ethics or reason and

rationality in the case of argumentation theory. Finally, as the case of the *virtue-theoretic arguer* shows, while argumentative virtues can prescribe the ways that we should go about working with reasons, neither the nature of a reason nor its goodness is explained virtuously.

As I see it, this leaves the virtue argumentation theorist with a choice between two roads: the hard road and the easy one. The hard road demands the manufacture, out of *indigenously aretaic* raw theoretical materials, of the goods subsequently included in the normative theories with which they stock their shelves. Of primary importance here, I suggest, are the notions: *reason*, *goodness of reasons*, and *rationality* (or *reasonableness*). Taking this road will require that VA abandon an instrumental account of virtue and explain the goodness of virtues and the badness of vices according to some intrinsic condition. It will also require that the nature, operation, and quality of reasons be explained in virtuous terms. While not an easy road, this is the road that leads to a purely virtuous, agent-based account of argumentative norms.<sup>24</sup>

The easy road, by contrast, permits the import of these non-aretaic goods, ready-made, from existing theory. Paglieri (2014; cf. forthcoming) has counseled that the virtue argumentation theorist should take the easy road. He distinguishes between the *moderate* and *radical* virtue theorist according to whether the product-based goodness of arguments plays any role in the evaluation of argumentation. The *moderate virtue theorist* holds that “validity [which I will understand very generally as a product-based, “good reasons” measure of argumentative merit] is *necessary but insufficient* for argument quality,” such that while all good arguments must be valid, *valid* arguments are possible.<sup>25</sup> By contrast, the *radical virtue theorist* holds that “validity is *neither sufficient nor necessary* for argument quality,” such that “looking at validity is a non-starter to assess argument quality.” Among moderate versions of VA, Paglieri further distinguishes between the modest and ambitious. While the *modest moderate* is content to analyse and explain validity in non-virtuous terms, the *ambitious moderate* seeks to analyse and explain validity in virtuous terms. Paglieri counsels that virtuous approaches to argumentation and argumentative norms needn’t be radical or even ambitiously moderate, since VA “was never necessarily committed to providing a complete theory of argument evaluation.” Indeed, Paglieri observes that “from day one [VA] presented itself as an attempt to move *beyond* validity in assessing argument quality.” Given its expansionist program, VA is not primarily concerned with normative qualities like validity, but rather has interests in the broader goods and values represented, for example, by the cognitive achievements on Cohen’s expanded list of argumentative goods.

In as much as Paglieri’s counsel to take the easy road is wise and prudent, it should be emphasized that this road does not lead to a purely virtuous, agent-based account of argumentative norms. The initial consequence here is simply that VA must be an anti-

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<sup>24</sup> Of course, the VA theorist might opt for a third, eliminativist, road of radical autonomy whereby the traditional goods, norms and problems of argumentation theory are abandoned entirely and replaced with an exclusively virtuous approach. I take it that this road is plainly a dead end.

<sup>25</sup> Importantly, understanding validity narrowly as deductive validity, does not provide the virtue theorist with the foil needed to motivate their approach. Existing, product-based approaches can readily identify narrowly *valid* arguments, explain their *validity*, and prescribe a remedy, doing so entirely with their own theoretical resources.

theory, in the sense that it cannot provide a complete account of argumentative goods and norms. As Paglieri notes, this is not very detrimental to the expansionist dimensions of the virtue-theoretic research program. Yet, it also demands the concession that, insofar as the projects of VA require non-aretaic concepts, goods and norms like *reason* and *rationality*, not only is VA incomplete, it is not free-standing either. Instead, the VA enterprise depends on whatever branch of argumentation theory is capable of articulating and explaining these fundamentally non-aretaic notions.

Furthermore, the notions of reason and rationality are not merely incidental or peripheral to argumentation. Rather, they constitute its core goods. The distinctive and essential aspect of argumentation is that it provides a rational means to a rational end. This, in turn, constitutes the end in relation to which argumentative virtues are instrumentally defined. This leaves virtuous approaches to argumentation rather in the position that Bondy described virtuous approaches to epistemology as having.

The mere fact that they [epistemic virtues] are not the *primary* bearers of justification does not make them useless for epistemic theorizing and pedagogy. Even though they are neither the primary tool of epistemology nor of fundamental epistemic value, they are both interesting and important insofar as they promote the achievement of what is of fundamental epistemic value. (Bondy 2013: 5)

The worry here is that, while the easy road offers some points of interest for argumentative sightseeing, it is nevertheless peripheral to the main trade routes along which the bulk of argumentation-theoretic freight is trafficked.

The challenge, then, of the easy road is twofold. First is to show how virtue talk is not *merely ornamental* in the sense that it could be replaced by talk of non-aretaic goods and norms. Second is to demonstrate the value added by aretaic talk in argumentation theory.

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