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1. INTRODUCTION

In "The incompleteness problem for a virtue-based theory of argumentation," Brian MacPherson (2013) argues (as you might be able to guess from his title) that virtue-based theories of argumentation suffer from an incompleteness problem. He is right about this. He suggests that the best solution is to supplement such theories with pragmatic-utilitarianism. This is a prudent (one might almost say, utility maximizing) suggestion. So, as a commentator I am left with little to say—other than, "Yes, you pretty much nailed it"! What I will do is say a few things about how we might understand a pragmatic-utilitarian approach to the issues raised in the paper.

2. INCOMPLETENESS AND VIRTUE-BASED ARGUMENTATION

The question of whether virtue theories of morals (such at those advanced by Aristotle, Aquinas, MacIntyre, Sen, and Nussbaum (1988)) are necessarily incomplete and therefore in need of external supplementation is a huge issue. Even if they do suffer from this problem, it does not follow that, with respect to a particular area (such as argumentation theory), such a theory will be incomplete and in need of external supplementation. One cannot know just from the fact (if it is one) that virtue theories suffer from an incompleteness problem that such theories are incomplete in all areas. Indeed, many incomplete theories are perfectly complete—in the sense of being able to handle all relevant cases that might arise in the relevant area—for certain sub-areas. Happily, MacPherson recognizes this fact and responds in the appropriate manner, *viz.*, by showing that, within argumentation, a virtue-based theory of argumentation is incomplete. He does this by means of some compelling examples which counter one's initial intuition that conflicts between argumentative virtues can be handled on an *ad hoc* case-by-case basis. (An interesting question, which MacPherson appropriately does not raise because it would take him too far afield, is this: Suppose we could deal with all cases of conflicts between argumentative virtues in a way that we found intuitively satisfying—say it felt as though, upon close examination, one virtue always outweighed the competing virtues whenever they gave conflicting advice—but we were unable to specify why we were able to do this. Would this be cause for us to

think that virtue theory had an incompleteness problem or just that our theory of argumentative virtues was (thus far) incomplete?)

Since I agree with MacPherson that the virtue theory of argumentation is incomplete and because I find his example showing this compelling, I leave this issue aside and turn to MacPherson's way of supplementing virtue theories of argumentation.

3. UNDERSTANDING "PRAGMATIC-UTILITARIAN" GROUNDINGS

MacPherson (2013) tells us this:

> A virtue-pragmatic-utilitarian-based theory of argumentation espouses argumentative virtues based on pragmatic-utilitarian grounds. Such an approach provides a motive for being a virtuous arguer, provided that it can be shown empirically that virtuous arguers generally fare better in terms of achieving their goals than non-virtuous arguers, *and* that a community of virtuous arguers is somehow better off (happier overall, achieves more of its goals) than a community of non-virtuous arguers." (MacPherson, emphasis added)

I take it from this that the pragmatic-utilitarian theory is supposed to supply two things: a motive for being a virtuous arguer, and a means of sorting out what to do when virtues compete and we cannot tell from inside the virtue theory itself which of the virtues to follow or how to balance them.

I note that these are two separate tasks. It is at least in principle possible that we have one mechanism for dealing with "hard cases" within a theory and a second account of why we should be motivated to adopt the theory (and the mechanism for dealing with hard cases). MacPherson just assumes that the same mechanism is appropriate for both tasks. This issue leads to the next problem.

In the second sentence quoted above, MacPherson lists two things that virtue-based argumentation theory is to turn to for motivating us to be virtuous arguers. First, it may be that being a virtuous arguer makes the arguer more likely to achieve her goals than she would be were she not a virtuous arguer. This is a rational choice contractarian defence of being or becoming a virtuous arguer. Presumably, were one to develop such an argument it would follow along the lines started by David Gauthier (1986) in his *Morals by Agreement*, where he shows that individuals who adopt the standard instrumental conception of rationality would have reason to actually change their conception of rationality when they find themselves interacting with others in the Humean circumstances of justice. Others have supplemented Gauthier's work, but, so far as I know, no one has taken on the task of showing that rational choice contractarians have reason to become virtue-based arguers.

The second consideration that MacPherson mentions is that a community of virtuous arguers may be better off than a community of arguers who lack argumentative virtues. This is not a rational choice consideration but a utilitarian one. That is to say, it holds that the sum of the welfare of the members of a community of virtuous arguers is going to be greater than that of alternative communities. Although this is an extremely difficult matter to evaluate, it is in the

end an empirical one. Let us suppose that, for most communities of humans, it is the case that, at least insofar as they are engaged in argumentation, it will maximize their collective welfare if both: (a) they are virtuous arguers rather than non-virtuous ones and (b) when dealing with conflicts of argumentative virtues, they use a community-wide utilitarian calculus to determine which virtue should take precedence.

Now, in theory, these two accounts are competitors. In moral and political theory, they are thought to yield rather different outcomes. On this matter, I hold a minority view: that they almost always yield the same outcomes (Wein, 2005). That is to say, I hold that, for almost all circumstances humans are likely to encounter, the two theories will recommend the adoption of the same set of social practices.[1] And, I am now—having read MacPherson—inclined to think that both theories will yield the same attitudes towards argumentative virtues. But, suppose I am wrong (and that the majority of experts in the area are right) and rational choice contractarianism and utilitarianism endorse different social arrangements in a wide variety of the sorts of circumstances in which humans regularly find themselves. And, in particular, suppose they yield different answers to the questions of when we should be virtuous arguers, how we should deal with conflicts between argumentative virtues, and why we should be moved to be or become virtuous arguers. That is to say, suppose that each of the two theories yields a different answer to each of these three questions, such that we end up with six answers, each pair of which has serious compatibility problems.

Put another way, MacPherson's first claim is that arguers, taken severally, will be better off if they are virtuous arguers. The second claim is that these arguers, taken collectively, will be better off if they are virtuous arguers. He joins these two claims with "and", suggesting that he thinks that both must be true in order for the pragmatic-utilitarian considerations to successfully ground the claim that we should be or become virtuous arguers. But perhaps he should adopt one or the other (or some combination of the two). Indeed, I am inclined to think (and here I agree with the majority) that rational choice contractarianism yields a very plausible answer to why I (*qua* individual) should become a virtuous arguer. It is in my interest to change my straightforward conception of good argumentation (from, say, whatever is most convincing) to a constrained conception of argumentation (only accept virtuous arguments). And, as sophisticated discussions of utilitarianism (such as Peter Railton's (1988)) show, utilitarianism can be understood in a way that is compatible with and nicely supplements virtue theories in just the ways that MacPherson thinks they need supplementation. So, perhaps he should pick and choose. Indeed, my intuitions are that a rational choice contractarian might well choose to become the sort of virtuous arguer who leaves hard cases of conflict between virtues to be decided in a utilitarian way. But some work would need to be done to show this.

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[1] By "social practices" I mean to include the basic structure for society, moral belief, religious practices (if any), political arrangements, legal system and laws, economic policies, traditions, manners, and rules of etiquette.

4. CONCLUSION

Brian MacPherson has, it seems to me, offered us an excellent account showing that and why virtue-base argumentation theories need supplementation, and he has, in my view, directed us to the right sort of supplementation to overcome this problem. But some may see problems with the supplementation he offers, and so his next task should be to clarify the nature and role of the pragmatic-utilitarian supplementation he gestures towards.

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