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Deep Disagreement and Patience as an Argumentative Virtue

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Abstract: A popular approach to analyzing the concept of evidence is to identify a unique set of normative criteria delineating the concept. However, disagreements about evidence seem deep, and using this approach raises concerns about the imposition of dominant norms, which might exclude important sources of knowledge. Patience is an argumentative virtue necessary to continue to engage in disagreements rather than lose hope in the face of seemingly intractable disputes such as the nature of evidence.

Keywords: Argumentative virtue, Deep disagreement, Patience

1. Introduction

One question that naturally arises in the theme of this conference is what is the role experience should play in argumentation? We encounter a number of disputes about the extent to which experience is evidentially relevant. In early logic and critical thinking classes we teach that it's fallacious to generalize from anecdotal evidence, but in practice this can lead to experience being dismissed wholesale. Disputes about the relevance of experience and pedagogical challenges in making distinctions between unwarranted generalizations vs. bad practices full stop point to the importance of patience as an argumentative virtue.

The purpose of this paper is to argue that patience is a central argumentative virtue given that argumentation is extended over time, and it's often the case that we don't change our minds quickly. This is especially true when it comes to disagreements about questions of identity and morality – these are disagreements that often become deep. As I argue for patience as a central argumentative virtue, I will simultaneously explore a major hesitancy I have about the role of patience in argumentation. My concerns arise primarily from the prevalence of epistemic injustice.

My confidence that patience is a fundamental argumentative virtue combined with my concern about that very same claim is best explained by divisions between ideal and nonideal theory.¹ When developing an ideal account of argumentation, I argue, patience is unambiguously an argumentative virtue because it is necessary for productive engagement, deliberation, continuation of discussion, and the possibility of collaborative resolution. From a nonideal perspective, the story is much more complicated by the ways in which patience is distributed unevenly and the role of power dynamics in determining who is indeed patient, and who tends to fail to develop the virtue. Put another way, normatively, we need patience to continue to argue with one another, understand more, learn things that we wouldn't if we refused to encounter those we disagree with or continue conversations with them. However, this burden is immensely disproportionately distributed to those with less power when we look at argumentative situations descriptively rather than normatively.

¹ The distinction may be more familiar in moral and political philosophy, where theorists try to explain gaps between normative ideals and the descriptive reality of our actions, but this distinction is becoming more prevalent in other domains such as philosophy of language – see, for instance, Cappelen and Dever's *Bad Language*.

In the first section of this paper I'll give an overview of the literature on deep disagreement, followed by a brief discussion of virtue argumentation before turning my attention to the importance of patience as an argumentative virtue in ideal cases. The final section explores the problems for patience from a nonideal perspective that I outlined above.

2. Deep disagreement

There are competing accounts of the conditions that constitute an authentically deep disagreement. The concept of deep disagreement originated in Robert Fogelin's 1985, "The Logic of Deep Disagreements," where he introduced the phrase to pick out a particular class of disputes – those that are rationally irresolvable (Fogelin, 1985). In the years since Fogelin's introduction of deep disagreement we have seen an expanding literature investigating what it means to share a framework (Davson-Galle, 1992), as well as various forms of testing and expansion of the notion of rational persuasion (Lugg, 1986). Some of this work aims at delimitating cases in which persuasion must give way to conversion if agreement is to be reached while another primary area of focus is distinguishing hard problems from those disagreements that are genuinely rationally irresolvable.

In order to better understand existing divisions in understanding of deep disagreement, Kirk Lougheed distinguishes between an epistemic notion of "deep disagreement," which focuses on rational irresolvability, and an argumentation theory notion of deep disagreement, which focuses on disagreement about framework propositions. The epistemic notion is more closely aligned with ideal theory, asking us to understand abstract, ideal epistemic peers with identical evidence and perfect trust who nonetheless disagree. The argumentation theory notion is nonideal and makes room for more contextual factors to explain the disagreement. This notion suggests a larger range of conditions that might lead to resolution in the face of these disagreements, and also a broader range of potential obstacles to resolution.

The argumentation theory conception of deep disagreement focuses on the role of contextual factors in shaping deep disagreement. Moira Kloster identifies two central factors that might be disputed in instances of deep disagreement: 1) relevant shared background beliefs and 2) a procedure for negotiating disagreement that she attributes to David Godden, and extends this conception to include affective and social factors such as power dynamics shaping responses like fear. Her account explicitly questions the ideal model given the manner in which conceptions of the ideal reasoner can be shaped by gender, class and racial bias. To account for affective and social factors, Kloster expands on the notion of deep disagreement to include recalcitrant, rationally irresolvable disagreements whose irresolvability stems from social conditions such as lack of trust (Kloster, 2018).

Similar to Kloster, Scott Aikin is interested in disagreement in nonideal contexts and argues that we should understand disagreement as having a variety of levels of depth (Aikin, 2019). This means rather than there existing a clear boundary between deep disagreements and regular disagreements, they run along a continuum. Aikin's account suggests that we start by arguing about an issue, but when we come to understand arguments as deeper than the particular issue, then we move to reasoning about each other. This second move is an attempt to understand how the other person got to the place they are in their beliefs because the disagreement is so large that we turn to wondering about each other, and also potentially closing ourselves off to continued discussion. He says: "If one takes oneself to be arguing with those with whom one thinks suffer from massive delusion, very little effort will go into appreciating the depth of a critical question.

The temptation of self-sealing argumentative strategies is often too great” (Aikin, 2019, p. 428). A fundamental concern for Aikin about the existence of deep(er) disagreements, is that too much opting out of discussion will occur.

Aikin is overall optimistic about the possibility of finding resolution to deep disagreement through sharing or developing a good deal of overlap, mutual understanding and agreement between parties, such as a distinction between reality/illusion, commitment to argumentative norms, critique, and skepticism. That said, developing this common ground and enough shared commitments to continue to argue is hard and often takes a great deal of time. This often seems even more difficult when arguments are relevant to who we are and what we value. Argumentation that proceeds slowly and is particularly challenging makes space to explore patience is an argumentative virtue.

3. Argumentative virtue and patience

Virtue argumentation is structurally similar to virtue theories in ethics and epistemology that have moved away from attempts to formulate universal, abstract principles in favor of focusing on the cultivation of virtues, typically understood as excellences of character, as the primary concept in the relevant domain. In ethics, this usually means that the good action is subordinate to the good actor, and in argumentation theory we might understand the argument as secondary to the arguer. Andrew Aberdein offered a clear overview of major movements in virtue ethics from ancient Greek thought, through a Christian turn and more modern revivals, as well as the somewhat more complicated relationship virtues might have on epistemological concepts such as knowledge and justification: “They have been represented variously as possessing conceptual priority over the traditional concepts, or as explanatorily but not conceptually prior, or merely as a reliable guide” (Aberdein, 2010, p.166). In all domains, the conceptual priority is somewhat complicated; for instance, in ethics one major objection is the extent to which a virtue ethics is action-guiding, and similarly in argumentation theory one major concern is the extent to which virtue argumentation conflicts with concerns about *ad hominem* attacks (for instance, see the thoughtful discussion in (Bowell & Kingsbury, 2013)).

Virtue argumentation has natural affinity with rhetorical and dialectical models of argumentation that both, to different extents, conceptualize argumentation as a process rather than having a strict focus on argument as product. This, to some extent, begins to respond to concerns about *ad hominem* and virtue argumentation because these broad frameworks suggest that argument is inextricable in some sense from the context and procedure used to develop the argument in question. In addition to understanding argumentation as process rather than just product, in rhetoric and dialectic we see more focus on the arguers, rather than just the argument. In dialectical models of argumentation there is a focus on the moves arguers should make, while rhetoric often has a strong focus on the situated nature of speakers and audiences. Similarly, as we saw in Kloster and also Aikin above, in the cases of suspected deep disagreement, one potential strategy includes a pivot towards the person and/or social context and away from the argument in order to create space for resolution. These possibilities of resolution both push us towards virtue argumentation, because of the importance of understanding the role of character as well as the cultivation of excellences of character that help us continue to engage productively.

A variety of scholars have laid out a potential taxonomy and rationale for deliberative (Aikin & Clanton, 2010) or argumentative virtues and vices. Daniel Cohen suggested that willingness to engage, listen, modify one’s position, and question the obvious are argumentative virtues that tend

to facilitate the process of reason-giving in service of raising the credibility of the conclusion (Cohen, 2005). Aberdein builds on Cohen's initial four core virtues and develops a typology of argumentative virtues and vices by situating the virtues as the mean between two vicious extremes. In this way, willingness to engage in arguments is situated between being uncommunicative or mistrusting reason on one extreme, and being intellectually rash and overzealous on the other extreme (Aberdein, 2016). Aikin and Clanton argue that (deliberative) wit, friendliness, temperance, courage, sincerity, and humility facilitate developing knowledge (Aikin & Clanton, 2010). All of these authors tend to suggest that these lists are incomplete and meant to be built upon, and one way we can continue to develop this list of virtues is to focus on argumentation as an activity that takes place over time. When it comes to recalcitrant or deep disagreements, it often takes long periods of time to change minds about particularly important and contentious issues.

Aristotelian virtues are understood to be defined relative to particular spheres where the virtue represents the excellent mean between two extremes in the relevant domain. Two central virtues have already been suggested as argumentatively important when it comes to deep disagreement: trust (Kloster, 2018) and courage (Aberdein, 2019). As we saw above, Kloster argued that when social trust is absent, this deepens disagreement. This suggests that virtues which foster group cohesion and felicitous social conditions are important for argumentation, as well as virtues of self-control that are conducive to those social conditions. Virtues of self-control are often understood to be virtues such as courage, temperance, and patience.

Denise Vigani argues that in order to understand patience as an Aristotelian virtue, we first need to identify the relevant sphere that it operates in so that we can identify the virtuous mean and vicious extremes. According to Vigani, patience, like temperance and courage, is a virtue of self-control, and conceptually linked with waiting, enduring, persevering, and tolerating – all capacities that have strong temporal elements (Vigani, 2017). Patience is best understood as a virtue whose domain is time – it is the excellence between hastiness and sluggishness.

In practical domains we might understand the patient person as the one who takes the right action at the right time, or the person whose desires are under control such the patient person continues the appropriate pursuits in frustrating circumstances. In the intellectual domain of argumentation, we can understand the hasty arguer as one all too willing to engage in argumentation without attempts to understand the social context and motivation of the interlocutor when facing serious disagreement, whereas the sluggish arguer is one who backs off completely.

In some ways this aligns with Aberdein and Cohen's primary virtues and vices that revolved around willingness to engage. Patience, however, goes further, because the arguer who cultivates patience develops means to continue to engage over time when its productive, is able to identify ways to change the conditions in order to create space for argumentation, such as pivoting towards understanding the interlocutor's character and framework beliefs to better understand the nature of the disagreement, or working to understand how power dynamics might be facilitating or thwarting continued discussion. Furthermore, the patient arguer will be better able to recognize and accept their own weaknesses in ways that will facilitate the continued engagement of their interlocutors. Again, we can understand how vices of hastiness or sluggishness could work here – the hasty arguer might wish to remain argument-as-product focused so we can get to the heart of the matter to see who is right, rather than being able to assess the broader argumentative context. The sluggish arguer might take that to be too much work, and so be slow to respond to argumentation or back out completely.

A more specific example of how patience in particular can help us address the complex nature of deep disagreement comes from a concern raised by Chirs Campolo. He argues that under certain

conditions, such as deep disagreement, it becomes irresponsible to continue to engage with interlocutors and that we have not just an epistemic but also a moral duty not to pursue continued reasoning in the case of deep disagreements (Campolo, 2019). He believes that there is a real danger that we will degrade our reasoning ability by pretending to draw nearer to consensus with the other person when there is a real gap between our interests and values underlying the reasoning process. According to Campolo: "What we *ought* to do when we find that we may deeply disagree, is to stop reasoning, and then, if going on together is important, see if we can make substantive changes in what one or all of us understand. This is a slow and painstaking process" (Campolo 722). Campolo, contra Aikin's optimism above, is concerned about the consequences of continued engagement in argumentation at a certain level of depth.

The disagreement between Aikin and Campolo about whether we ought to be optimistic and continue to engage in deep disagreement or pull back to shield our rational capacities makes room for considering what virtues we might cultivate to assess the situation in order to navigate a variety of possibilities. Cultivating patience is a way to open up possibilities for continued engagement by developing the tendency to see argument as multifaceted with many goals, dependent on social context and shaped by speakers and audience. The patient arguer can consider many possibilities, take breaks when she needs it, and appreciate argumentation, especially about hard problems, to be a long-term pursuit. The patient arguer can negotiate when it is productive for her to continue to engage, and how, and also when it is not – which provides a sort of middle ground between Campolo's concerns and Aikin's optimism. Understanding patience as a central virtue when it comes to deep disagreement provides more options than just continuing to engage or not because the primary domain of patience is time, and when it comes to deep disagreement in particular, understanding the extended nature of argumentation across time is particularly crucial.

4. Current argumentative landscape and problems of patience

While its temporal domain provides promise for patience as an argumentative virtue, authors who have written about patience in the moral and epistemic domains are aware of historical and descriptive concerns about patience. These concerns are often gendered: worries are raised about patience as a virtue tend to involve negative scenarios for women. For instance, Jason Kawall says: "We might imagine a woman in an abusive marriage who 'patiently' endures the situation" (Kawall, 2016, p. 4). Eamon Callan extends the concern to victims of exploitation more generally:

There are psychological traits that increase the ease with which we can be mistreated by others, and these may be extolled as virtues by those who would do the mistreating, palliate its evil or deny its avoidability. Patience can ensure compliance among the victims of exploitation, and so, unsurprisingly, it has often been recommended to the poor or to women as a virtue that befits their station and its duties. (Callan, 1993, p. 538)

Referencing Callan's example of women and the poor, Vigani suggests that passivity, which is often mistaken for patience, may be endorsed by particular individuals as "a result of upbringing, misplaced loyalty, or other reasons" (Vigani, 2017, p. 334). All authors seem to acknowledge that in theory as well as practice, "patience" is used in problematic ways such as in service of silencing.

Vigani and Callan respond in similar ways, appealing to the nature of the virtue rather than colloquial conceptions of patience. Vigani explicitly calls her account of patience a thin account because it relies on "granting the appropriate amount of time" – the thinness comes from the need

to fill out what “appropriate” means here. Callan similarly says: “It is only a puerile, coarse-grained patience that could motivate a blanket impassivity toward evils that are fit objects of indignant resistance. One cannot reasonably argue against the ethical centrality of patience by dwelling on the deficiencies of its least discriminating versions any more than one can make a decent case for the marginalization of courage merely by noting the moral hazards of a naive bravery” (Callan, 1993, p. 539). In other words, these oppressive uses of “patience” aren’t the virtue of patience at all.

These responses, as Vigani suggests by highlighting that this is a thin account of patience that requires development, needs more detail to distinguish colloquial accounts of patience that mistake sluggishness at best and systemic oppression at worst for the virtue of patience. A related but distinct concern is the way that conceptions of patience as a virtue fail to engage the question of how patience ought to be developed in light of nonideal conditions. Those who are in fact often required to cultivate the most patience in order to engage in deliberation are often those who are most likely to face epistemic harms such as testimonial and hermeneutic injustice.

Miranda Fricker is often credited with coining “hermeneutic injustice” as a particular form of epistemic injustice having to do with lack of adequate conceptual resources for oppressed groups to effectively communicate their experience to others and even to themselves (Fricker, 2007). Charlie Crerar has argued more recently for a broader understanding of hermeneutic injustice that extends beyond a lack of conceptual resources given the oppressive social situation to situations in which conceptual resources are available but the relevant parties are silenced nonetheless (Crerar, 2016). Crerar’s focus is on taboos, in which cases there are perfectly adequate conceptual resources but engagement with the taboo topic has certain costs. He says: “In broaching a taboo topic, it can be said, individual speakers become subject to a social cost. Whilst this cost is primarily intangible, in the form of these adverse reactions and the ‘souring’ of an environment, it can also have real, concrete ramifications, be it the exclusion from certain groups or social spaces, a straining of relations, or even, in extreme cases, physical harm” (Crerar, 2016, p.199). The antidote to the flavor of hermeneutic injustice that Crerar explores, namely the instances in which the conceptual resources are present but often silenced or ignored, is to develop an expressively free environment.

This broader conception of hermeneutic injustice points to ways in which patience is unevenly distributed in order to create a better argumentative landscape where more can engage. At the beginning of this paper I claimed that arguments about morality and identity often become deep, and here I claim that this makes such discussions function like Crerar’s account of taboo. Specifically, with respect to making dominant groups aware of oppression, the burden is vastly and disproportionately placed on those who are oppressed to explain their experiences in ways that the non-oppressed individual understands. In addition, those facing oppression frequently face consequences of the kind outlined by Crerar above – straining of relations, further exclusion, and also the greater utilization of cognitive and affective resources in deciding how and when to engage in deliberation.

5. Concluding with a story of my own

A recent example of the expanded notion of hermeneutical injustice that is very personal to me comes from the democratic primary in the United States. The field began with a diverse range of candidates but by March 2020 had winnowed down to a two-man race between Bernie Sanders and Joe Biden, both white men in their 70’s, albeit with quite different ideological leanings.

Elizabeth Warren was the last woman with a serious chance at the nomination to drop out of the race, and Tulsi Gabbard dropped out a few weeks later.

When Elizabeth Warren dropped out of the race as the last major contender against Joe Biden and Bernie Sanders, it was a moment that felt to many women, like me, very similar to the despair that we felt when Trump won the United States presidential election in 2016 (Smarrsh, 2020). With respect to Warren's decision to drop out of the presidential race, we're given the opportunity to explore disagreements that may be deep, or at least recalcitrant, about the role of experience in evaluating the extent to which sexism played a role in the campaigns of all the women who ran for president over the last year in the US.

I have a number of friends with whom I have long histories of fun, debate, anger, sadness, changing minds, healing wounds, and learning from each other because there are issues on which we disagree, many seemingly deeply. The US presidential primaries were an opportunity to revisit some of the disagreements we've had about sexism. Friends of mine who are avid Sanders supporters also felt disappointed after the Super Tuesday rush of primaries that put Joe Biden in a clear leading position to become the Democratic Presidential Candidate. Some of these friends suggested that they felt the same pain as me that day, and these are the same friends to whom I have tried to explain for years that there was a particular pain of being the only woman in my graduate program, that I have a kind of distrust in philosophy as a field—although I keep coming back—because of its overwhelming maleness, and that there is a real pain I experience in watching extremely competent women seeking the country's highest office and falling short. Of course, it is not all men who deny that sexism plays a role (Desanctis, 2020) and it would be naïve to suggest that Warren did not make mistakes or that the success or failure of political campaigns is a simple issue.

Nonetheless, friendships and other relationships in which I try to make these experiences clear—and also why they matter in our deliberations—are painful, slow, and frustrating. They are sometimes, however, the most fruitful. We often learn more about each other, about what matters, and about how to continue to engage if we have the patience to work through it. That said, I continue to be concerned that those who are the most vulnerable are the ones who are required to be the most patient, while the rest of us continue to ask them to do the work. So, if I am right that patience is an argumentative virtue, then the question becomes, how do we more evenly distribute the burdens of patience in argumentative situations?

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