VIRTUE ETHICS PRISONS AFF:

**First,** self-respect is a primary moral virtue – you cannot pursue ends unless you think they are good *for* you. **RAWLS**[[1]](#footnote-1)**:** On several occasions I have mentioned that perhaps the most important primary good is that of self-respect. We must make sure that the conception of goodness as rationality explains why this should be so. We may deﬁne self-respect (or self-esteem) as having two aspects. First of all, as we noted earlier (§29), **it includes a person’s sense of [their] own value**, his secure conviction that his conception of his good, his plan of life, is worth carrying out. **And** second, self-respect implies a **conﬁdence** in one’s ability, so far as it is within one’s power, **to fulﬁll one’s intentions.** **When we feel that our plans are of little value, we cannot pursue them with pleasure or take delight in their execution.** **Nor** **plagued** **by** failure and **self-doubt can we continue in our endeavors.** It is clear then why **self-respect is a primary good. Without it nothing may seem worth doing, or if some things have value for us, we lack the will to strive for them.** **All** desire and **activity becomes empty and vain, and we sink into apathy and cynicism.** Therefore the **parties** in the original position **would wish to avoid at almost any cost the social conditions that undermine self-respect.** The fact that justice as fairness gives more support to self-esteem than other principles is a strong reason for them to adopt it. The conception of goodness as rationality allows us to characterize more fully the circumstances that support the ﬁrst aspect of self-esteem, the sense of our own worth. These are essentially two: (1) having a rational plan of life, and in particular one that satisﬁes the Aristotelian Principle; and (2) ﬁnding our person and deeds appreciated and conﬁrmed by others who are likewise esteemed and their association enjoyed. I assume then that someone’s plan of life will lack a certain attraction for him if it fails to call upon his natural capacities in an interesting fashion. When activities fail to satisfy the Aristotelian Principle, they are likely to seem dull and ﬂat, and to give us no feeling of competence or a sense that they are worth doing. A person tends to be more conﬁdent of his value when his abilities are both fully realized and organized in ways of suitable complexity and reﬁnement.

Self-respect is a precondition for other flourishing. And self-respect is mutually reinforcing, magnifying its own impacts. **RAWLS (2)**[[2]](#footnote-2)Furthermore, the public recognition of the two principles gives greater support to men[persons]’s self-respect and this in turn increases the effectiveness of social cooperation. Both effects are reasons for agreeing to these principles. It is clearly rational for men to secure their self-respect. **A sense of** their own **worth is necessary** if they are **to pursue** their conception of **the good with satisfaction and to take pleasure in its fulﬁllment.** **Self-respect is not so much a part of any** rational **plan of life as the sense that one’s plan is worth carrying out.** Now our self-respect normally depends upon the respect of others. **Unless we feel that our endeavors are** **respected** by them, **it is difﬁcult if not impossible for us to maintain the conviction that our ends are worth advancing** (§67). Hence for this reason the parties would accept the natural duty of mutual respect which asks them to treat one another civilly and to be willing to explain the grounds of their actions, especially when the claims of others are overruled (§51). **Moreover**, one may assume that **those who respect** **themselves are more likely to respect each other** and conversely. **Self-contempt leads to contempt of others** and threatens their good as much as envy does. **Self-respect is reciprocally self-supporting.**

Paying a living wage encourages self-respect by signifying dignity to work, counteracting oppressive narratives and compensating difficulties, tangibly demonstrating moral equality. **ROGERS**[[3]](#footnote-3)**:** Wage Rates and Self-Respect.—**Wages matter to our self-respect.** This point is straightforward, even commonsensical. As the Nobel Laureate economist Robert Solow wrote in an influential study, “Wage rates and jobs are not exactly like other prices and quantities. **They are** much more **deeply involved in the way people see themselves**, **think about their social status, and evaluate whether they are getting a fair shake out of society.”**153 Wages are, of course, a primary means through which individuals meet their material needs. But **the relationship** between wages and respect **runs deeper than resources** per se since money is a dominant primary good in our society, one “readily converted into prestige and power.”154 **Wages measure the value of our work, and signify our place within the class and status structure.**155 At one extreme, **societies have** long **dealt** with **the worst** sorts of hard and dirty **work** by assigning it to “degraded people,” ranging from slaves, to “‘inside’ aliens like the Indian untouchables,” to **racial minorities,** and, of course, to women, all of whom have been **understood not to deserve decent wages,** or even any wages at all.156 **Given the** all-too-recent **historical context of slavery** and serfdom, **the** very **payment of wages is a powerful indication of workers’ moral equality.** Outside such extreme examples, **low-wage employment** **is often** painful, **involving “violence**—to the spirit as well as to the body.”157 While not all workers risk physical injury, **most** still **must submit to their employer’s unilateral direction**, often in jobs that carry little creativity and little hope of advancement. **Minimum wage laws compensate workers**, however partially, **for the difficulties and indignities of such work**. Granted, money is **an imperfect compensation** for nonpecuniary harms, **but** it is **important nevertheless.** Higher wages enable workers to enjoy a higher material standard of living and perhaps to work less and spend more time on leisure. **They also give tangible form to the moral equality between workers and employers.** **Every pay period, minimum wage workers receive a check from their employer for an amount greater than they would otherwise have received. This can have a profound effect on workers’ view of their place in society**: for example, **after a 1999 living wage ordinance raised his wage nearly $2 per hour, a janitor at the Los Angeles airport remarked that**, while he and his coworkers still did not make much money, “**at least now with the living wage, we can hold our heads up high.”**158

The legal claim against employers creates new avenues of self-respect. This is not about the economic impact but the implication of status that the workers have such a visible enforcible claim against employers and it is empirical confirmed. **ROGERS (2)**[[4]](#footnote-4)**:** 2. Formal Legal Entitlements and Self-Respect.—**Minimum wage laws** also **enhance** workers’ **self-respect by granting** them **formal legal entitlements vis-à-vis employers.** **This is** in part **an expressive effect** of minimum wage laws, which are an easily grasped policy “**that symbolizes the political system’s commitment to working people.”**165 **Such laws signal that the state and broader society view workers as worthy of legal protection, even when doing so imposes costs upon more powerful social groups,** as captured well in the textile worker quote in this Article’s introduction. But **the legal entitlements** provided by minimum wage laws **are not merely symbolic. Under such laws, workers can hale employers into court to prevent enforcement of labor contracts that pay less than the minimum, employers owe workers correlative duties, and state agencies stand ready to intervene on behalf of workers.** The relationship between formal rights and self-respect is an enormous topic, but a few notes on that relationship within political and social theory should suffice to develop this point. Within liberalism, this idea seems to have animated Rawls’s argument that in a just society “**self-respect is secured by the public affirmation of the status of equal citizenship for all” through protection** **of** equal **liberties**,166 as well as through the fact that “everyone endorses the difference principle, itself a form of reciprocity.”167 **Public affirmation** of such rights **helps demonstrate that rights-bearing individuals are moral equals of other citizens.** **Once that** moral equality **is clear, employers will not as readily subject such workers to abuses, and workers will more readily contest unfair treatment by employers and other private actors.** The relationship between rights and self-respect is also clear in Pettit’s republicanism. An “employee who dare not raise a complaint against an employer,” Pettit writes, is in the sort of relationship of domination that neorepublicans condemn.168 While the most straightforward implication of Pettit’s argument may be that employees deserve general rights to contest employer decisions, or rights against arbitrary dismissal,169 substantive entitlements such as the minimum wage have a similar effect insofar as they enable employees to block employer efforts to pay below a certain point. **This rights-granting aspect means that minimum wage laws are actually not equivalent to a wage subsidy funded by a tax on low-wage labor,** **because this** **entitlement** **and** its accompanying private **right of action alter the power dynamics between employer and employee.** The literature on law and social movements also helps elucidate the relationship between legal rights and self-respect. Much of this literature explores the relationship between legal rights and collective mobilization, an issue less central to this Article.170 But the very existence of such a link demonstrates that legal rights, particularly **rights against private parties, can be an important social basis of self-respect.** Per Stuart Scheingold’s influential account of the “politics of rights,” for example, **marginalized groups can “capitalize on the perceptions of entitlement associated with [legal][[5]](#footnote-5) rights to initiate and to nurture political mobilization.”**171 **This process can have effects on** workers’ self-consciousness and **self-respect that extend well beyond immediate campaigns.** As two other **sociologists argue** in a leading study of social movements among the poor, **after the assertion of legal rights** as part of a demand for social change, “**people who ordinarily consider themselves helpless come to believe that they have some capacity to alter their lot.”**172 **Similarly**, I have argued elsewhere that **the experience of contesting managerial decisions** during union organizing **can greatly enhance workers’ autonomy by giving them a concrete experience of agency.**173 In fact, organizers have often mobilized workers around the rightsendowing aspect of minimum wage laws. For example, Jennifer Gordon, founder of the Long Island-based Workplace Project and now a professor of law, developed an innovative workers-rights curriculum that elucidated the gaps among workers’ rights to safety and minimum wages, workers’ lived experience of unsafe workplaces and sub-minimum wages, and a broader vision of justice that would involve even greater legal protections than those currently enjoyed.174 Where standard “know your rights” presentations began by listing a set of formal entitlements, Gordon instead flipped the class: she first asked workers to describe their own experiences in detail and then pointed out that their employers were in fact violating the law.175 This was a transformative experience: “**rights stood for the possibility of government support in a context where government was otherwise notably absent,** in an underground economy ruled by the market and by personal relationships **in a situation of unmitigated power imbalance**.”176 **The fact that working conditions had been illegal rather than merely unfortunate altered workers’ perceptions of their work lives and even their selves. Workers began to view themselves as entitled to decent treatment, as having a right to have rights.**177 Gordon’s account resonates with a strand in the social-psychological literature on “collective action framing,” which explores how socialmovement leaders and participants describe particular actions or conditions in ways that motivate social groups to take collective action.178 As legal scholar Benjamin Sachs has argued, efforts such as Gordon’s “deploy employment rights statutes as diagnostic frames,” utilizing those statutes to describe extremely low wages as an injustice.179 “**The fact that it is the law—rather than merely the ideology of a union organizer or other activist—that diagnoses these problems as injustice invests the frame with substantially increased power.”**

Employment for a decent wage enhances workers’ self-respect – studies prove. **LEVIN-WALDMAN[[6]](#footnote-6):** Living wages, then, become a means of offering low-wage workers voice, which in turn enhances personal autonomy - a basic ingredient in the meaning of citizenship, which is also a basic principle in republi- can political thought. It does not give greater voice in that it increases the bargaining power among low-skilled workers in the way that unions do. But it does give them greater voice in that higher wages improve their morale and thereby enable them to have greater dignity in their work. **In a study on the effects of a living wage in Baltimore**, for in- stance, Neidt et al. (1998) found that **based on interviews with those workers who received** pay increases as **a** function of the **living wage, most responded that they felt better** about themselves because **they were earning more** (pp. 27-28). **Individuals who earn more are more likely to participate in the democratic process**, even if their participation is restricted to the most nominal form of participation: voting. But the fact that they feel better about themselves alone should enable them to be- have more autonomously. On a more basic level, however, by providing individuals with greater income, it affords them greater opportunity to pursue their own respec- tive self-interests. In short, it enhances autonomy. To a certain extent, a living wage effectively provides individuals with perhaps what Amy Guttmann and Dennis Thompson (1996) refer to as a fair opportunity. Were this, for instance, a deliberative democracy, they argue, a basic opportunity principle would secure citizens an adequate level of basic opportunity goods. Included in such opportunity goods is that of an ad- equate income level, which they define as that which enables one to live a decent life according to society's current standards. And yet, this is not the same as equality of opportunity, rather they suggest that the operative principle ought to be fair opportunity. Fair opportunity holds that government should ensure that each citizen has a fair chance of securing opportunity goods such as advanced education and skilled employment, i.e., those tools that will enable individuals to secure the types of positions that enable them to live comfortable middle class lives, which clearly has implications for society's income distribution. But by talking about opportunity to join the middle class, they in essence ac- knowledge the importance of the middle class to the maintenance of democracy. When they talk about a basic opportunity principle, they are specifically talking about it within the context of welfare provision. And yet, there is no reason that ordinances mandating that workers be paid a specified wage cannot be viewed in similar terms.

**Second,** virtuous flourishing requires a social trust and cooperation. Crime is vicious because it undercuts that. Thus the aff is rehabilitative in nature – small salaries reinforce an *ideal* that criminal life is profitable, which leads to recidivism – also takes out UBI or EITC CPs which do not require work to get money.**ROBINS[[7]](#footnote-7):** But why **should** convicted **criminals be paid** the national **minimum wage**? 'It's very simple,' says Frances Crook, the League's director. **'They are far less likely to commit another crime** when they are out. Our main objective here is to work for a safer society.' While work in today's prison may not be breaking rocks, it has yet to evolve much beyond stitching mailbags. Folding sheets in the laundry, scrubbing the landings or assembling plastic ration bags of tea and coffee supplies are typical of the mind-numbing work in our jails. The Howard League project consists of skilled work designing and printing leaflets, principally for the voluntary sector, and the plan is for the scheme to be adopted throughout the prison service. Crook believes that prisoners represent an excellent and untapped workforce. 'The combination of poverty and the tedium of what passes for the usual **prison work offers a great inspiration to the work ethic**,' she says. According to Crook, **it isn't just the lack of decent money 'but the attitude behind the money' that is wrong**. **'It shows them that they will never earn much and that crime pays better.' Two-thirds of all prisoners are unemployed before being sent down**, half have absolutely no qualifications and more than a third have reading skills below that expected of an 11-year old, according to a government green paper published last month. **The paper,** published jointly by the Department of Education and Skills, the Home Office and the Department for Work and Pensions, **emphasises the role of prisons in getting offenders back into work.**

Increasing wages is good because it models the outside world helping criminals reintegrate. **ROBINS (2)**[[8]](#footnote-8): HMP Coldingley in Surrey claims to be in the vanguard of UK prisons in terms of offering meaningful work to inmates. Last year, Paul McDowell, Coldingley's governor, launched a scheme called Steps, aimed at matching prisoners and private sector employers in the hope that the latter can secure jobs on release because they were trained in relevant skills while inside. It proved a hard sell. McDowell approached 400 potential employers and invited them to meet prisoners face to face; just 40, including Ikea and Harvey Nichols, visited the prison. Only four employers have stayed the course, including a well-known high street hotel chain, a restaurant chain, a construction company and a rail contractor. McDowell supports the principles behind the Howard League project, but with one proviso - he believes that prisoners should make a contribution to the costs of their keep: 'If they can't do that, it becomes almost perverse, because you're structuring the expectations of offenders completely unrealistically.' Ex-convicts also support the league's initiative. **'Prisons take away all responsibility - they keep you locked up** for years **then suddenly send you back out** in society,' says Erwin James, prison columnist for the Guardian, who served 20 years of a life sentence before being released in August 2004. 'One of the things that I have learnt since I came out is that **one of the most responsible things a citizen can do is work, pay taxes, and make a contribution** to society. **If society wants prisoners to come out as responsible** people, **give them some responsibility** when they're inside.' The Howard League points out that **many prisoners have never had** any experience of **proper employment, paying tax,** national insurance **or any** of the other **responsibilities of the law-abiding citizen. 'It is a cycle that has to broken**,' says Crook. 'It is irresponsible, negligent even, if the prisons and the state do not set the very highest example of probity and taxpaying.'

Prefer working since 1) work enables upward mobility, supporting families which are where we are brought up and have virtue fostered 2) work is better since it shows commitment to usefulness and persistence, which are moral virtues as opposed to laziness or sloth from handouts 3) work fosters self-sufficiency, which is virtuous since it says that we are responsible moral agents rather than entitled.

The plan text is the United States federal government will require private companies that employ prisoners from federal, state and local prisons to pay a living wage tailored to region. I reserve the right to clarify *and will defend the MIT calculator if you want, but will not no-link DAs based on calculators[[9]](#footnote-9).* **DECKER**[[10]](#footnote-10): These challenges alone clearly make the case for expanded work opportunities in prison. Of course, prison labor is alive and well. According to the Federal Bureau of Prisons, **federal inmates earn 12 cents to 40 cents** per hour **for jobs serving the prison,** and 23 cents to $1.15 per hour in Federal Prison Industries factories. **Prisoners are** increasingly**working for private companies**as well. A significant cut of even these token wages goes to criminal justice system fees. **Offenders** thus **have little hope of saving** money while **in prison, and** this lack of money **combined with fragile post-release** support **systems is a**n explosive **formula for recidivism and reincarceration**. As such, the time has come to **institute a living wage for prison labor**. This wage need not be at the same level in prison as it would be outside. But prison **wages must** be high enough to **cover the fees imposed by the** criminal justice **system** while **allowing offenders to reserve** enough money **to have a fair start upon release.**

I value morality. Theory can begin as deontic or Aretaic. The first answers what am I required to act, and the answers are prescriptions. The second contains terms used to evaluate action or actor. It includes terms like “blameworthy,” “praiseworthy” or “virtuous.” The two are distinct; the Aretaic cannot be derived from the deontic – which means the former must come conceptually first. **GRYZ:**[[11]](#footnote-11) The way we use words ‘good/bad’ and ‘right/wrong’ seems to support the above claims. Goodness and badness come in degrees, hence we have words like ‘better’ and ‘worse’**;** we lack similar terms for deontically **evaluated actions.** The availability of degree terms in the former case seems to indicate the presence of many criteria used in evaluation; an all-or- nothing choice, implied by the use of ‘right’ or ‘wrong’, suggests focusing on only one quantum quality.12 But fine-grainedness is not only a property of particular aretaic terms, the entire aretaic vocabulary is infinitely richer and allows us to draw much finer distinctions in act-evaluations than the deontic vocabulary. **For** example, by saying that something is praiseworthy we imply that it deserves approval or favor: we assess it higher when we say that it is admirable, since then it should be also respected and honored. The meaning of the word ‘praiseworthy’ can be quite well conveyed by saying, that it is something that ought to be done, or that it is the right (in Ross’s understanding of ‘right’) thing to do: yet expressing the word ‘admirable’ in deontic vocabulary seems just impossible. From what has been said so far one can derive an encouraging conclusion for the advocates of attractive ethics. Sheer richness and fine-grainedness of aretaic vocabulary seems to be a good reason for believing that all that can be said in deontic terms can be equally well expressed in aretaic terms. This is not to say, however, that we can produce a translation manual which would provide us with a general method of expressing deontic notions in terms of aretaic ones for all possible cases. In particular, it does not seem possible, as we hope to have shown, to substitute ‘good’ for ‘right’ or ‘deplorable’ for ‘wrong’. The relation between the aretaic and the deontic seems to be somewhat similar to the relation between the physical and the mental in the mind-body problem. We can claim that deontic is supervenient on the aretaic without committing ourselves to the idea of complete definitional reduction. In other words, we may allow for token identity (each particular action can have an aretaic description that perfectly matches the deontic one) and deny the possibility of type identity (that there is aretaic sentence true of all and only the actions having some deontic property). If this analogy is correct then the idea of definitional reduction of the deontic to the aretaic**, and in** particular, Stocker’s identification of rightness and goodness, is doomed. But we can still pursue a more modest goal. If our task is just to substitute every particular deontic evaluation with an aretaic one, there are no logical reasons that would make it impossible **(it would not work, of course, in the opposite direction).** From that perspective, attractive ethical theories seem to be much better off than the imperative ones.

The standard is **promoting human flourishing**. This is not util –

1) it takes a stance not on individuals being happy but them living rightly. Mother Teresa flourished virtuously far more than individuals who live full of self-indulgence.

2) it is not concerned with humans living, but the way they live. Keeping people alive means they have more time to be virtuous it also means they have more time to be vicious and thus misses the point.

*3) actions presuppose a narrow deontic goal. One agent given X data might conclude action A is good, another with different data might conclude B is good. Both could be using equally virtuous reasoning even if both actions do not have the same ends.*

Prefer since **First,** only a virtue paradigm is capable of expressing the content of moral rules. Rules are indeterminate unless grounded in social and communal use and only such a ethical system can account for the decision making of moral life. **KRIPKE:**[[12]](#footnote-12) Following Wittgenstein, I will develop the problem initially with respect to a mathematical example, though the relevant sceptical problem applies to all meaningful uses of language. I, like almost all English speakers, use the word ‘plus’ and the symbol ‘+’ to denote a well-knownn mathematical function, addition. The function is defined for all pairs of positive integers. By means of my external symbolic representation and my internal mental representation, I ‘grasp’ the rule for addition. One point is crucial to my ‘grasp’ of this rule. Although I myself have computed only finitely many sums in the past, the rule determines my answer for indefinitely many new sums that I have never previously considered. This is the whole point of the notion that in learning to add I grasp a rule: my past, intentions regarding addition determine a unique answer for indefinitely many new cases in the future. Let me suppose, for example, that ‘68 + 57’ is a computation **that** I have never performed before. Since I have performed — even silently to myself, let alone in m y publicly observable behavior — only finitely many computations in the past, such an example surely exists. In fact, the same finitude guarantees that there is an example exceeding, in both its arguments, all previous computations. I shall assume in what follow s that ‘68 + 57’ serves for this purpose as well. I perform the computation, obtaining, of course, the answer ‘125’. I am confident, perhaps after checking my work, that ‘125’ is the correct answer. It is correct both in the arithmetical sense that 125 is the sum of 68 and 57, and in the metalinguistic sense that ‘plus’ as I intended to use that word in the past, denoted a function which, when applied to the numbers I called ‘68’ and ‘ 57’ yields the **value 125.** Now suppose I encounter a bizarre sceptic. This sceptic questions **my certainty about m y answer, in** what I just called the ‘metalinguistic’ sense.Perhaps, he suggests, as I used the term ‘plus’ in the past, the answer I intended for ‘68 + 57’ should have been ‘5’! Of course the sceptic’s suggestion is obviously insane. My initial response to such a suggestion might be that the challenger should go back to school and learn to add. Let the challenger, however, continue. After all, he says, if I am now so confident that, as I used the symbol ‘+’ my intention was that ‘68 + 57’ should turn out to denote 125, this cannot be because I explicitly gave myself instructions that 125 is the result of performing the addition in this particular instance.By hypothesis, I did no such thing.But of course the idea is that, in this new instance, I should apply the very same function or rule that I applied so m any times in the past. But who is to say what function this was?In the past I gave myself only a finite number of examples instantiating this function. All, we have supposed, involved numbers smaller than 57. So perhaps in the past I used ‘plus’ and ‘+’ to denote a function which I will call ‘quus’ [Defined as plus in all instances unless the second integer equals 57] and symbolize by ‘⊕ ’ . It is defined by: x ⊕ y = x + y, if x, y < 57 = 5 v otherwise. Who is to say that this is not the function I previously meant by ‘+’? The sceptic claims (or feigns to **claim) that I** am now misinterpreting my own previous usage. By ‘plus’, he says, I always meant quus; now, under the influence ofsome insane frenzy, or a bout of LSD , I have come to misinterpret my own previous usage.Ridiculous **and fantastic** though it is, the sceptic’s hypothesis is not logically impossible. To see this, assume the common sense hypothesis that by ‘+’ I did mean addition. Then it would be possible, though surprising, that under the influence o f a momentary, ‘high’, I. should misinterpret all my past uses of the plus sign as symbolizing the quus function, and proceed, in conflict with my previous linguistic intentions, to compute 68 plus 57 as .5. (I would have made a mistake, not in mathematics, but in the supposition that I had accorded with m y previous linguistic intentions.) The sceptic is proposing that I have made a mistake precisely of this kind, but with a plus and **quus reversed. Now if** the sceptic **proposes his hypothesis sincerely, he is crazy; such a bizarre** hypothesis **as the proposal that I always meant quus is absolutely wild. Wild it indubitably is,** no doubt **it** is false; but if it is false, there must be some fact about my past usage that can be cited to refute it. For although the hypothesis is wild, it does not seem to be a priori impossible. Of course this bizarre hypothesis, and the references to LSD, or to an insane frenzy, are in a sense merely a dramatic device. The basic point is this. Ordinarily, I suppose that, in computing ‘68 + 57’ as I do, I do not simply make an unjustified leap in the dark. I follow directions I previously gave myself that uniquely determine that in this new instance I should say ‘125’ . What are these directions? By hypothesis**,** I never explicitly told myself that I should say ‘125’ in this very instance. Nor can I say that I should simply ‘do the same thing I always did’ if this means ‘compute according to the rule exhibited by my previous examples.’ That rule could just as well have been **the rule for** quaddition (the quus function) as for addition. The idea that in fact quaddition is what I meant, that in a sudden frenzy I have changed my previous usage, dramatizes the problem. In the discussion below the challenge posed by the sceptic takes two forms. First, [s]he questions whether there is any fact that I meant plus**,** not quus, that will answer his sceptical challenge. Second, [s]he questions whether I have any reason to be so confident that now I should answer ‘125’ rather than ‘ 5’. The two forms of the challenge are related, I am confident that I should answer ‘125’ because I am confident that this answer also accords with what I meant. Neither the accuracy of my computation nor of my memory is under dispute. So it ought to be agreed that if I meant plus, then unless I wish to change my usage, I am justified in answering (indeed compelled to answer) ‘125’, not '5 ’ . An answer to the sceptic must satisfy two conditions. First, it must give an account of what fact it is **(about** my mental state) that **constitutes my meaning plus**, not quus. But further, there is a condition that any putative candidate for such a fact must satisfy. It must, in some sense, show how I am justified in giving the answer ‘125’ to ’68 + 57’. **The** ‘directions’ mentioned in the previous paragraph, that determine what I should do in each instance, must somehow be ‘contained’ in any candidate for the fact as to what I meant. Otherwise, the sceptic has not been answered when he holds that my present response is arbitrary. Exactly how this condition operates will become much clearer below, after we discuss Wittgenstein’s paradox on an intuitive level, when we consider various philosophical theories as to what the fact that I meant plus might consist in. There will be m any specific objections to these theories. But all fail to give a candidate for a fact as to what I meant that would show that only ‘125’ , not ‘5’, is the answer I ‘ought’ to give. The ground rules of our formulation of the problem should be made clear. For the sceptic to converse with me at all, we must have a common language. So I am supposing that the sceptic, provisionally, is not questioning my present use of the word ‘plus’; he agrees that, according to m y present usage, ‘68 plus 57’ denotes 125. Not only does he agree with me on this, he conducts the entire debate with me in my language as I presently use it. He merely questions whether my present usage agrees with m y past usage, whether I am presently conforming to my previous linguistic intentions. The problem is not “How do I know that 68 plus 57 is 125?”, which should be answered by giving an arithmetical computation, but rather “ How do I know that ‘68 plus 57’, as I meant ‘plus’ in the past, should denote 125?” If the word ‘plus’ as I used it in the past, denoted the quus function, not the plus function (‘quaddition’ rather than addition), then my past intention was such that, asked for the value of ‘68 plus 57’ , I should have replied ‘ 5’. I put the problem in this way so as to avoid confusing questions about whether the discussion is taking place ‘both inside and outside language’ in some illegitimate sense. If we are querying the meaning of the word ‘plus’, how can we use it (and variants, like ‘quus’) at the same time? So I suppose that the sceptic assumes that he and I agree in our present uses of the word ‘plus’ : we both use it to denote addition. He does not ~~ at least initially - deny or doubt that addition is a genuine function, defined on all pairs of integers, nor does he deny that we can speak of it. Rather he asks why I now believe that by ‘plus’ in the past, I meant addition rather than quaddition. If I meant the former, then to accord with my previous usage I should say ‘125’ when asked to give the result of calculating ‘68 plus 57’. If I meant the latter, I should say ‘5’ The present exposition tends to differ from Wittgenstein’s original formulations in taking somewhat greater care to make explicit a distinction between use and mention, and between questions about present and past usage. About the present example Wittgenstein might simply ask, “How do I know that I should respond ‘125’ to the query ‘68 + 57’?” or “How do I know that ‘68 + 57’ comes out 125?” I have found that when the problem, is formulated this way, some listeners hear it as a sceptical problem about arithmetic: “How do I know that 68 + 57 is 125? ” (Why not answer this question with a mathematical proof?) At least at this stage, scepticism about arithmetic should not be taken to be in question: we may assume, if we wish, that 68 + 5 7 = 125 ; Even if the question is reformulated ‘metalinguistically’ as “ How do I know that ‘plus’, as I use it, denotes a function that, when applied to 68 and 57, yields 125?”, one may answer, “ Surely I know that ‘plus’ denotes the plus function and accordingly that ‘68 plus 57’ denotes 68 plus 57. But if I know arithmetic, I know that 68 plus 57 is 125. So I know that ‘68 plus 57’ denotes 125!” And surely, if I use language at all, I cannot doubt coherently that ‘plus’, as I now use it, denotes plus! Perhaps I cannot (at least at this stage) doubt this about my present usage. But I can doubt that my past usage of ‘plus’ denoted plus. The previous remarks - about a frenzy and LSD - should make this quite clear. Let me repeat the **problem.** The sceptic doubts whether any instructions I gave myself in the past compel (or justify) the answer ‘125’ rather than ‘5’ . He puts the challenge in terms o f a sceptical hypothesis about a change in m y usage. Perhaps when I used the term ‘plus’ in the past, I always meant quus: by hypothesis I never gave myself any explicit directions that were incompatible with such a supposition. Of course, ultimately, if the sceptic is right, the concepts of meaning and of intending one function rather than another .will make no sense. For the sceptic holds that no fact about my past history - nothing that was ever in m y mind, or in my external behavior - establishes that I meant plus rather than quus. (Nor, of course, does any fact establish that I meant quus!) But if this is correct, there can of course be no fact about which function I meant, and if there can be no fact about which particular function I meant in the past, there can be none in the present either. But before we pull the rug out from under our own feet, we begin by speaking as if the notion that at present we mean a certain function by ‘plus’ is unquestioned and unquestionable. Only past usages are to be questioned. Otherwise, we will be unable to formulate our problem. Another important rule of the game is that there are no limitations, in particular, no behaviorist limitations, on the facts that may be cited to answer the sceptic. The evidence is not to be confined to that available to an external observer, who can observe my overt behavior but not my internal mental state. It would be interesting if nothing in my external behavior could show whether I meant plus or quus, but something about my inner state could. But the problem here is more radical. Wittgenstein’s philosophy of mind has often been viewed as behavioristic, but to the extent that Wittgenstein may (or may not) be hostile to the ‘inner’, no such hostility is to be assumed as a premise; it is to be argued as a conclusion. So whatever ‘looking into my mind’ may be, the sceptic asserts that even if God were to do it, he still could not determine that I meant addition by ‘plus’. This feature of Wittgenstein contrasts, for example, with Quine’s discussion of the ‘indeterminacy of translation’ .10 There are m any points of contact between Quine’s discussion and Wittgenstein’s. Quine, however, is more than content to assume that only behavioral evidence is to be admitted into his discussion. Wittgenstein, by contrast, undertakes an extensive introspective11 investigation, and the results of the investigation, as we shall see, form a key feature of his argument. Further, the w ay the sceptical doubt is presented is not behavioristic. It is presented from the ‘inside’. Whereas Quine presents the problem about meaning in terms o f a linguist, trying to guess what someone else means by his words on the basis of his behavior, Wittgenstein’s, challenge can be presented to me as a question about myself; was there some past fact about me — what I ‘meant’ by plus - that mandates what I should do now? To return to the sceptic. The sceptic argues that when I answered ‘125’ to the problem ‘68 + 57’ , my answer was an unjustified leap in the dark; my past mental history is equally compatible with the hypothesis that I meant quus, and therefore should have said ‘ 5’ . We can put the problem this w ay: When asked for the answer to ‘68 + 57’ , I unhesitatingly and automatically produced ‘125’ , but it would seem that if previously I never performed this computation explicitly I might just as well have answered ‘ 5. Nothing justifies a brute inclination to answer one way rather than another. Many readers, I should suppose, have long been impatient to protest that our problem arises only because o f a ridiculous model of the instruction I gave m yself regarding ‘addition’ . Surely I did not merely give myself some finite number of examples**, from which** I am supposed to extrapolate the whole table (“ Let ‘+’ be the function instantiated by the following examples: . . . ” ). No doubt infinitely many functions are compatible with that. Rather I learned - and internalized instructions for - a rule which determines how addition is to be continued. What was the rule? Well, say, to take it in its most primitive form : suppose we wish to add x and y. Take a huge bunch of marbles. First count out x marbles in one heap. Then count out y marbles in another. Put the two heaps together and count out the number of marbles in the union thus formed. The result is x + y. This set of directions, I may suppose, I explicitly gave myself at some earlier time. It is engraved on my mind as on a slate. It is incompatible with the hypothesis that I meant quus. It is this set of directions, not the finite list of particular additions I performed in the past, that justifies and determines m y present response. This consideration is, after all, reinforced when we think what I really do when I add 68 and 57. I do not reply automatically with the answer ‘125’ nor do I consult some non-existent past instructions that I should answer ‘**125’ in this case. Rather** I proceed according to an algorithm **for addition that I previously learned. The algorithm is more sophisticated and practically applicable than the primitive one just described, but there is no difference in principle. Despite the initial plausibility of this objection,** thesceptic’s responseis **all too** obvious.True, if ‘count’, as I used the word in the past, referred to the act of counting **(and m y other past words are correctly interpreted in the standard w ay),** then ‘plus’ must have stood for addition. But I' applied. ‘count’ , like ‘plus’, to only finitely many past cases. Thus the sceptic can question my present interpretation o f m y past usage of ‘count’ as he did with ‘plus’ . In particular, he can claim that by ‘count’ I formerly meant quount, where to ‘quount’ a heap is to count it in the ordinary sense, unless the heap was formed as the union of two heaps, one of which has 57 or more items, in which case one must automatically give the answer ‘ 5’. It is clear that if in the past ‘counting’ meant quounting, and if I follow the rule for ‘plus’ that was quoted so triumphantly to the sceptic, I must admit that ‘68 + 57’ must yield the answer ‘ 5’ . Here I have supposed that previously ‘count’ was never applied to heaps formed as the union of sub-heaps either of which has 57 or more elements, but if this particular upper bound does not work, another will do. For the point is perfectly general: if ‘plus’ is explained in terms of ‘counting’, a non-standard interpretation of the latter will yield a non-standard interpretation of the former. It is pointless of course to protest that I intended the result of counting a heap to be independent of its composition in terms of sub-heaps: Let me have said this to myself as explicitly as possible: the sceptic will smilingly reply that once again I am misinterpreting my past usage, that actually ‘independent’ formerly meant quindependent, where ‘quindependent’ means . . . Here of course I am expounding Wittgenstein’s well know n remarks about ‘' a **rule for interpreting a rule” .** It is tempting to answer the sceptic by appealing from one rule to another more ‘basic’ rule. But the sceptical move can be repeated at the more ‘basic’ level also.Eventually the process must stop **- “ justifications** come to an end somewhere” - and I am left with a rule which is completely unreduced to any other. How can I justify my present application of such a rule, when a sceptic could easily interpret it so as to yield any of an indefinite number of other results? It seems that my application of it is an unjustified stab in the dark. I apply the rule blindly. Normally, when we consider a mathematical rule such as addition, we think of ourselves as guided in our application of it to each new instance. Just this is the difference between someone who computes new values of a function and someone who calls out numbers at random. Given my past intentions regarding the symbol ‘+’ one and only one answer is dictated as the one appropriate to ‘68 + 57 ’. On the other hand, although an intelligence tester may suppose that there is only one possible continuation to the sequence 2, 4, 6, 8, . . mathematical and philosophical sophisticates know that an indefinite number of rules (even rules stated in terms of mathematical functions as conventional as ordinary polynomials) are compatible with any such**,** finite initial segment. So if the tester urges me to respond, after 2, 4, 6, 8, . . with the unique appropriate next number, the proper response is that no such unique number exists, nor is there any unique (rule determined) infinite sequence that continues the given one. The problem can then be put this way: Did I myself, in the directions for the future that I gave myself regarding ‘+’, really differ from the intelligence tester? True, I may not merely stipulate that ‘+’ is to be a function instantiated by a finite number of computations. In addition, I may give myself directions for the further computation of ‘+’, stated in terms of other functions and rules. In turn, I may give myself directions for the further computation of these functions and rules, and so on. Eventually, however, the process must stop, with ‘ultimate’ functions and rules that I have stipulated for myself only by a finite number of examples, just as in the intelligence test. If so, is not my procedure as arbitrary as that of the man who guesses the continuation of the intelligence test? In what sense is my actual computation procedure, following an algorithm that yields ‘125’, more justified by my past instructions than an alternative procedure that would have resulted in ‘5’? Am I not simply following an unjustifiable impulse?’ Of course, these problems apply throughout language and are not confined to mathematical examples**, though it is with mathematical examples that they can be most smoothly brought out.** I think **that** I have learned the term ‘table’ in such a way that it will apply to indefinitely many future items. **So I can apply the term to a new situation, say when I enter the Eiffel Tower for the first time and see a table at the base.** Can I answer a sceptic who supposes that by ‘table’ in the past I meant tabair, where a ‘tabair’ is anything that is a table not found at the base of the Eiffel Tower**, or a chair found there? Did I think explicitly of the Eiffel Tower when I first ‘grasped** the concept of a table, gave myself directions for what I meant by ‘table’? And even if I did think of the Tower, cannot any directions I gave myself mentioning it be reinterpreted compatibly with the sceptic’s hypothesis? Most important for the ‘private language’ argument, the point of course applies to predicates of sensations, visual impressions, and the like, as well: “ How do I know that in working out the series -f 2 I must write “ 20,004, 20,006” and not “ 20,004, 20,008” ? - (The question: “ H ow do I know that this color is - ‘red’?” is similar.)” (Remarks on the Foundations of Mathematics, I, §3.) The passage strikingly illustrates a central thesis of this essay: that Wittgenstein regards the fundamental problems of the philosophy of mathematics and of the ‘private language argument’ - the problem of sensation language ~ as at root identical, stemming from his paradox. The whole of §3 is a succinct and beautiful statement of the Wittgensteinian paradox; indeed the whole initial section of part I of Remarks' on the Foundations of Mathematics is a development of the problem with special reference to mathematics and logical inference. It has been supposed that all I need to do to determine my use of the word ‘green’ is to have an image, a sample, **of green that I bring to mind whenever I apply** the word in the future. When I use this to justify my application of ‘green’ to a new object, should not the sceptical problem be obvious to any reader of Goodman? Perhaps by ‘green’, in the past I meant grue,15 and the color image, which indeed was grue, was meant to direct me to apply the word ‘green’ to grue objects always. If the blue object before me now is grue, then it falls in the extension of ‘green’, as I meant it in the past. It is no help to suppose that in the past I stipulated that ‘green’ was to apply to all and only those things ‘of the same color as’ the sample. The sceptic can reinterpret ‘same color’ as same schmolor, l6 where things have the same schmolor if . . . Let us return to the example of ‘plus’ and ‘quus’ . We have just summarized the problem in terms of the basis of my present particular response: what tells me that I should say ‘125’ and not ‘5’? Of course the problem can be put equivalently in terms of the sceptical query regarding my present intent: nothing in my mental history establishes whether I meant plus or quus. So formulated, the problem may appear to be epistemological - how can anyone know which of these I meant? Given, however, that everything in my mental history is compatible both with the conclusion that I meant plus and with the conclusion that I meant quus, it is clear that the sceptical challenge is not really an epistemological one. It purports to show that nothing in my mental history of past behavior - not even what an omniscient God would know ~ could establish whether I meant plus or quus. But then it appears to follow that there was no fact about me that constituted my having meant plus rather than quus. **How could** there be, if nothing in my internal mental history or external behavior will answer the sceptic who supposes that in fact I meant quus? **If** there was no such thing as my meaning plus rather than quus in the past, neither can there be any such thing in the present. When we initially presented the paradox, we perforce used language, taking present meanings for granted. Now we see, as we expected, that this provisional concession was indeed fictive. There can be no fact as to what I meant by ‘plus’, or any other word at any time. The ladder must finally be kicked away.This, then, is the sceptical paradox. **When I respond in one way rather than another to such a problem as ‘68-l-57’,** I can have no justification for one response rather than another. Since the sceptic who supposes that I meant quus cannot be answered, there is no fact about me that distinguishes between my meaning plus and my meaning quus.Indeed, there is no fact about me that distinguishesbetween **my** meaning a definite function **by ‘plus’ (which determines my responses in new cases)** and **my meaning** nothing at all.

And **KRIPKE (2)**[[13]](#footnote-13)explains the skeptical solution. Finally, we can turn to Wittgenstein’s sceptical solution and to the consequent argument against ‘private’ rules. We have to see under what circumstances attributions of meaning are made and what role these attributions play in our lives. Following Wittgenstein’s exhortation not to think but to look, we will not reason a priori about the role such statements ought to play; rather we will find out what circumstances actually license such assertions and what role this license actually plays. It is important to realize that we are not looking for necessary and sufficient conditions (truth conditions) for following a rule, or an analysis of what such rule-following ‘consists in’ Indeed such conditions would constitute a ‘straight’ solution ’ to the sceptical problem, and have been rejected. First, consider what is true of one person considered in isolation. The ' most obvious fact is one that might have escaped us after long contemplation of the sceptical paradox. It holds no terrors in our daily lives; one actually hesitates when asked to produce an answer to an addition problem! Almost all of us unhesitatingly produce the answer ‘125’ when asked for the sum of 68 and 57, without any thought to the theoretical possibility that a quus-like rule might have been appropriate! And we do so without justification. Of course, if asked why we said ‘125’, most of us will say that we added 8 and 7 to get 15, that we put down 5 and carried 1 and so on. But then, what will we say if asked why we ‘carried’ as we do? Might our past intention not have been that ‘carry’ meant quarry; where to ‘quarry’ is . . .? The entire point of the sceptical argument is that ultimately we reach a level where we act without any reason in terms of which we can justify our action. We act unhesitatingly; but Blindly. This then is an important case of what Wittgenstein calls speaking without ‘justification’ (‘Rechtfertigung1), but not wrongfully’ ([german I could not reproduce]).75 It is part of our language game of speaking of rules that a speaker may**, without** ultimately **giving any justification,** follow his own confident inclination that this way **(say, responding ‘125’)** is the right way to respond**, rather than another way (e.g. responding ‘5’). That is, the ‘assertability conditions’ that license an individual to say that, on a given occasion, he ought to follow his rule this way rather than that, are**, ultimately, that he does what he is inclined to do. The **important thing about this case is that,** if we confine ourselves to looking at one person alone**, his psychological states and his external behavior,** this is as far as we can go. We can say that [s]he acts confidently **at each application of a rule; that he says -** withoutfurther justification **- that the way he acts, rather than some quus-like alternative, is the way to respond.** There are no circumstances under which we can say that, even if he inclines to say ‘125’, [they] should have said ‘5’, or vice versa. **By definition,** [they] is licensed to give, without further justification, the answer that strikes **him [them]** as natural and inevitable. **Under what circumstances can he be wrong, say, following the wrong rule? No one else by looking at his mind; and behavior alone can say something like, “He is wrong if he does not accord with his own past intentions”; the whole point of the sceptical argument was that** there can be facts about him [her] in virtue of which [s]he accords with his [her] intentions or not. **All we can say, if we consider a single person in isolation, is that our ordinary practice licenses him to apply the rule in the way it strikes him. But of course this is not our usual concept of following a rule. It is by no means the case that, just because someone thinks [s]he is following a rule, there is no room for a judgement that [s]he is not really doing so. Someone - a child, an individual muddled by a drug - may think he is following a rule even though he is actually acting at random, in accordance with no rule at all. Alternatively, he may, under the influence of a drug, suddenly act in accordance with a quus-like rule changing from his first intentions. If there could be no justification for anyone to say of a person of the first type that his confidence that he is following some rule is misplaced, or of a person of the second type that he is no longer in accord with the rule that he previously followed,** there would be little content to our idea that a rule, **or past intention,** binds **future** choices**. We are inclined to accept conditionals of such a rough type as, ‘‘If someone means addition by ‘ + ’ then, if he remembers his past intention and wishes to conform to it, when he is queried about ‘68 + 57’, he will answer ‘125’.” The question is what substantive content such conditionals can have. If our considerations so far are correct, the answer is that, if one person is considered in isolation, the notion of a rule as guiding the person who adopts it can have no substantive content. There are, we have seen, no truth conditions or facts in virtue of which it can be the case that he accords with his past intentions or not. As long as we regard him as following a rule ‘privately’, so that we pay attention to his justification conditions alone, all we can say is that he is licensed to follow the rule as it strikes him. This is why Wittgenstein says, “To think one is obeying a rule is not to obey a rule.** Hence it is not possible to obey a rule ‘privately’; otherwise thinking one was obeying a rule would be the same thing as obeying it. ” (§202) The situation is very different if we widen our gaze from consideration of the rule follower alone and allow ourselves to consider him as interacting with a wider community. Others will then have justification conditions for attributing correct or incorrect rule following to the subject, and these will not be simply that the subject’s own authority is unconditionally to be accepted. Consider the example of a small child learning addition. It is obvious that his teacher will not accept just any response from the child. On **the contrary,** the child must fulfill various conditions **if** the teacher is to ascribe to him mastery of the concept of addition. **First,** for small enough examples, the child must produce, almost all the time, the ‘right’ answer. If a child insists the answer ‘7’ to the query ‘2 + 3’, and a ‘3’ to ‘2 + 2 ’, and makes various **other** elementary mistakes, the teacher will say to him, “ You are not adding. Either you are computing **another function” - I suppose he would not really talk quite this way to a child! - “ or, more probably, you are as yet following no rule at all, but only giving whatever random answer enters your head. ”** Suppose**, however,** the child gets **almost all ‘**small’ addition problems right.For larger computations, the child can make more mistakes than for ‘small’ problems, but it must get a certain number right and, when it is wrong, it must recognizably be ‘trying to follow’ the proper procedure, not a quus-like procedure, even though it makes mistakes. (Remember, the teacher is not judging how accurate or adept the child is as an adder, but whether he can be said to be following the rule for adding.) Now, what do I mean when I say that the teacher judges that, for certain cases, the pupil must give the ‘right’ answer? I mean that the teacher judges that the child has given the same answer that [they] him[them]self would give.

This takes out self-legislation; if one gives rules to oneself one is both legislature and judge and can interpret any self-given rule to accord with any action. Only public rules are meaningful.

**Second,** only virtue paradigms can both provide principles that can extend in application and be socially bounded. **MAYO:[[14]](#footnote-14)** No doubt the fundamental moral question is just ‘What ought I to do?’ And according to the philosophy of moral principles, the answer (which must be an imperative ‘Do this’) must be derived from a conjunction of premisses consisting (in the simplest case) firstly of a rule, or universal imperative, enjoining (or forbidding) all actions of a certain type in situations of a certain type, and, secondly, a statement to the effect that this is a situation of that type, falling under that rule. In practice the emphasis may be on supplying only one of these premisses, the other being assumed or taken for granted: one may answer the question ‘What ought I to do?’ either by quoting a rule which I am to adopt, or by showing that my case is legislated for by a rule which I do adopt. To take a previous example of moral per plexity,1 if I am in doubt whether to tell the truth about his condition to a dying man, my doubt may be resolved by showing that the case comes under a rule about the avoidance of unnecessary suffering, which I am assumed to accept. But if the case is without precedent in my moral career, my problem may be soluble only by adopting a new principle about what I am to do now and in the future about cases of this kind. This second possibility offers a connection with moral ideals. Suppose my perplexity is not merely an unprecedented situation which I could cope with by adopting a new rule. Suppose the new rule is thoroughly inconsistent with my existing moral code. This may happen, for instance, if the moral code is one to which I only pay lip-service; if (in the language of IX , 7) its ; authority is not yet internalised, or if it has ceased to be so; it is i ready for rejection, but its final rejection awaits a moral crisis such as we are assuming to occur. What I now need is not a rule for deciding how to act in this situation and others of its kind. I need a whole set of rules, a complete morality, new principles to live by. Now according to the philosophy of moral character, there is another way of answering the fundamental question **‘What ; ought I to do?’** Instead of quoting a rule, we quote a quality of ' character, a virtue: we say ‘Be brave’, or ‘Be patient’ or ‘Be lenient’. We may even say ‘Be a man’: if I am in doubt, say, whether to take a risk, and someone says ‘Be a man’, meaning a morally sound man, in this case a man of sufficient courage. (Compare the very different ideal invoked in ‘Be a gentleman’. I shall not discuss whether this is a moral ideal.) Here, too, we have the extreme cases, where a man’s moral perplexity extends not merely to a particular situation but to his whole way of living. And now the question ‘What ought I to do?**’** turns into the question ‘What ought I to be?’ — as, indeed, it was treated in the first place. (‘Be brave.’) It is answered, not by quoting a rule **or a set of rules,** but **by** describing a quality of character or a type of person. And here the ethics of character gains a practical simplicity which offsets the greater logical simplicity of the ethics of principles. We do not have to give a list of characteristics or virtues, as we might list a set of principles. We can give a unity to our answer. Of course we can in theory give a unity to our principles: this is implied by speaking of a set of principles. But if such a set is to be a system and not a mere aggregate, the unity we are looking for is a logical one, namely the possibility that some principles are deducible from others, and ultimately from one. But the attempt to construct a deductive moral system is notoriously difficult, and in any case ill-founded. Why should we expect that all rules of conduct should be ultimately reducible to a few? 9. Saints and Heroes But when we are asked ‘What shall I be?’ we can readily give a unity to **our answer**, though not a logical unity. It is the unity of character. A person’s character is not merely a list of dispositions; it has the organic unity of something that is more than the sum of its parts. **And** We can say**, in answer to our morally perplexed questioner, not only ‘Be this’ and ‘Be that’, but also ‘**Be like So-and-So’ **— where So-and-So is either an ideal type of character, or else an actual person taken as representative of the ideal, an exemplar.** Examples of the first are Plato’s ‘just man’ **in the Republic; Aristotle’s man of practical wisdom, in the Nicomachean Ethics;** Augustine’s citizen of the City of God; the good Communist**; the American way of life (which is a co lective expression for a type of character). Examples of the second kind, the exemplar, are** Socrates,Christ, Buddha, St. Francis**, the heroes of epic writers and of novelists. Indeed the idea of the Hero, as well as the idea of the Saint, are very much the expression of this attitude to morality. Heroes and saints are not merely people who did things. They are people whom we are expected, and expect ourselves, to imitate. And** imitating them means not merely doing what they did; it means being like them. Their status is not in the least like that of legislators whose laws we admire; for the character of a legislator is irrelevant to our judgment about his legislation. **The heroes and saints did not merely give us principles to live by (though some of them did that as well): they gave us examples to follow.**

Social interpretation is not enough to grasp deontic rules, because I cannot be made aware of socially defined rules to legislate action in all moral contexts.

underview:

Corporations profit off the prisoners as cheap labor and the problem is getting worse. **KHALEK[[15]](#footnote-15):** Clearly, **the** US **prison system is riddled with racism and classism**, but it gets worse. As it turns out, private **companies have a cheap**, easy **labor market**, and it isn’t in China, Indonesia, Haiti, or Mexico. It’s right here in the land of the free, where large corporations increasingly employ prisoners as a source of cheap and sometimes free labor. In the eyes of the corporation, inmate labor is a brilliant strategy in the eternal quest **to maximize profit**. By dipping into the prison labor pool, companies have their pick of workers who are not only cheap but easily controlled. **Companies** are free to **avoid** providing **benefits** like health insurance or sick days, **while** simultaneously **paying little to no wages**. They don’t need to worry about unions or demands for vacation time or raises. Inmates **work full-time and are never** late or **absent** because of family problems. **“If they refuse to work, they are moved to disciplinary housing and lose** canteen **privileges” along with** “good time **credit that reduces** their **sentences.”** To top it off, **the federal government subsidizes** the use of **inmate labor** by private companies **through** lucrative **tax write-offs.** Under the Work Opportunity Tax Credit (WOTC), private-sector employers receive a tax credit of $2,400 for every work release inmate they employ as a reward for hiring “risky target groups” and they can “earn back up to 40 percent of the wages they pay annually to target group workers.” **Study after study demonstrates the wastefulness** of America’s prison-industrial complex, in both taxpayer dollars and innocent lives, yet rolling back imprisonment rates is proving to be more challenging than ever. Meanwhile, the use of **private prisons and** now privately contracted **inmate labor has created a system that does not** exactly **incentivize leaner sentencing.** The disturbing implications of such a system mean that skyrocketing **imprisonment** **for** the **possession** of miniscule amounts of marijuana **and** the expansion of severe **mandatory** **sentencing** laws regardless of the conviction, are policies that have the potential **to increase** corporate **profits. As are the “three strikes laws”** that require courts to hand down mandatory and extended sentences to people who have been convicted of felonies on three or more separate occasions. People have literally been sentenced to life for minor crimes like shoplifting.

AT states based counterplans:

Your state based CPs don’t solve. **ROGERS**[[16]](#footnote-16)**:** The fact that employment is a bilateral and reciprocal relationship justifies the institutional form of minimum wage laws, i.e., the requirement that employers themselves pay higher wages. The harsh conditions and **status harms** of low-wage employment **do not occur in a vacuum: employers** and managers **enjoy** individualized and **institutional benefits** from workers’ efforts, benefits that are **not** always **shared** **with** the rest of **society**. **Those include** profits as well as the **higher** **social esteem and occupational autonomy** that accompany entrepreneurship and management. Given such agent-specific benefits, and **given that such benefits occur** **within social structures** **that impose reciprocal harms** on employees, **it seems entirely appropriate for employers to shoulder the** bulk of the **redistributive burdens** imposed by minimum wage laws, **rather than** **mediating all redistribution through the state.** **Transfers** simply have a different valence: they **alter power relationships between workers and employers indirectly, if at all. While a robust basic income would enable workers to reject truly undignified work**, it would not alter the legal rules that undergird the division of labor.159 Employers would still enjoy the legal right to issue orders and low-wage workers would still need to obey. Altering parties’ bilateral entitlements is therefore an appropriate policy response. **Minimum wages are also far more salient to workers** than transfers.160 As noted above, **wages are paid weekly or biweekly** by the employer, **reflecting the employer’s reciprocal duties toward workers; in contrast transfers come from the state, an abstract entity that typically exerts power over workers only indirectly.** Wage subsidies would avoid some of these difficulties since workers receive money directly from their employer, but wage subsidies have other drawbacks, as discussed below.161 To be clear, this is not an argument that minimum wage laws require employers to personally express respect for workers. Since respect is an aspect of social relationships, it simply cannot be mandated by the state. 162 But the state often does forbid practices and behaviors that tend to undermine individuals’ self-respect, or, in Rawls’s evocative phrasing, practices that encourage “attitudes of deference and servility on one side [and] a will to dominate and arrogance on the other.”163 Rules against sexual and racial harassment are a powerful and clear example.164 Minimum wage laws are another. They prohibit a certain class of employment relationships that lead to pervasive status harms. Moreover, even if employers pay minimum wages grudgingly, doing so may well reinforce workers’ self-respect by demonstrating that the law protects them against certain employer actions.

I reflect and foster virtue in the employer, whereas you do not. Since they enjoy the virtuous benefits, they should have responsibility and duty fostered by respecting employees. You do not enhance self-respect because they are receiving handouts rather than being told their labor has value. Prefer working since 1) work enables upward mobility, supporting families which are where we are brought up and have virtue fostered 2) work is better since it shows commitment to charity and usefulness, which are moral virtues as opposed to laziness or sloth from handouts 3) work fosters self-sufficiency, which is virtuous since it says that we are responsible moral agents rather than entitled.

Also you obviously do not solve the rehab contention – an honest day’s wage is what promotes rehab since prisoners have experienced things like unemployment which teaches them that crime pays better than what everyone else does.

AT deont interaction:

1) humans are not rational, but full of cognitive biases that only an intellectual virtue paradigm accounts for.

2) the Aretaic is a prior question to the deontic – it’s a question of who you are not what you do.

3) no rules could be known to be applied in a given situation – for example any action could accord with the categorical imperative because you might deem yourself the exception and all previous applications were in the schmategorical imperative.

4) if one gives rules to oneself one is both legislature and judge and can interpret any self-given rule to accord with any action. Only publicly grounded rules are meaningful. you also interpret and judge in every instance whether or not it was consistent. You can define universalizing however you want. There wouldn’t be any reason to say it’s worse or better to follow a particular rule.

5) Social interpretation is not enough to grasp deontic rules, because I cannot be made aware of sufficiently defined rules to legislate action in all moral contexts.

6) We cannot understand the concept of human freedom except within a paradigm of human flourishing. **KELLER:[[17]](#footnote-17)** Christianity is supposedly a limit to personal growth and potential because it constrains our freedom to choose our own beliefs and practices. Immanuel Kant defined an enlightened human being as one who trusts in his or her own power of thinking, rather than in authority or tradition.27 This resistance to authority in moral matters is now a deep current in our culture. Freedom to determine our own moral standards is considered a necessity for being fully human. This oversimplifies, however. Freedom cannot be defined in strictly negative terms, as the absence of **confinement and constraint. In fact,** in many cases, confinement and constraint is actually a means to liberation. If you have musical aptitude, you may give yourself to practice, practice, practice the piano for years. This is a restriction, a limit on your freedom. There are many other things you won’t be able to do with the time you invest in practicing. If you have the talent, however, the discipline and limitation will unleash your ability that would otherwise go untapped. What have you done? You’ve deliberately lost your freedom to engage in some things in order to release yourself to a richer kind of freedom to accomplish other things. This does not mean that restriction, discipline, and constraint are intrinsically, automatically liberating. For example, a five-foot-four, 125-pound young adult male should not set his heart on becoming an NFL lineman. All the **discipline and effort in the world will only frustrate and crush him (literally). He is banging his head against a physical reality—he simply does not have the potential. In our society** many **people** have worked **extremely hard** to pursue careers that pay well rather than fit their talents and interests. Such careers are straitjackets **that in the long run stifle and dehumanize us.** Disciplines and constraints, then, liberate us only when they fit with the reality of our nature and capacities. A fish, because it absorbs oxygen from water rather than air, is only free if it is restricted and limited to water. If we put it out on the grass, its freedom to move and even live is not enhanced, but destroyed. The fish dies if we do not honor the reality of its nature. In many areas of life, freedom is not so much the absence of restrictions as finding the right ones, the liberating restrictions. Those that fit with the reality of our nature and the world produce greater power and scope for our abilities and a deeper joy and fulfillment. Experimentation, risk, and making mistakes bring growth only if, over time, they show us our limits as well as our abilities. If we only grow intellectually, vocationally, and physically through judicious constraints—why would it not also be true for spiritual and moral growth? Instead of insisting on freedom to create spiritual reality, shouldn’t we be seeking to discover it and disciplining ourselves to live according to it? The popular concept—that we should each determine our own morality—is based on the belief that the spiritual realm is nothing at all like the rest of the world. Does anyone really believe that? For many years after each of the morning and evening Sunday services I remained in the auditorium for another hour to field questions.

rehab deont contention:

Enabling law to guide conduct requires prospectively announcing its application. **RIPSTEIN**[[18]](#footnote-18):

The possibility of enforcement is crucial to this account, because enforcement hinders hindrances to freedom, both prospectively and retrospectively. We saw in Chapter 6 that public law makes private rights conclusive by providing everyone with assurance that others will comply; it assures everyone that others will have an incentive—a reason for taking an interest in an action—to comply. A parallel point applies to public right: institutions make public law effective protectively and prospectively by providing an incentive to conform with law; that is, they prevent people from violating the law. They do so retrospectively in those cases in which wrong is committed, and the same law guarantees that the wrongful acts do not change the rights of their victims or the entitlement of the legal system to govern conduct. The prospective and retrospective fit together because the external incentive to conform with the law is just the law’s guarantee that any violation will be legally nothing, its guarantee that rather than earning the criminal the exemption from the law that he seeks, it will exclude him from the aspect of the law that he has violated. By announcing in advance that the law will make a wrong fail, the law also pro- vides a prospective incentive against it by announcing that the criminal will be burdened in the very way he hopes to succeed. If people were to be so “well disposed and right-loving” that they had no inclination to violate the law, the incentives provided by law would be empirically unnecessary, but they would still be legally required. The prospective and retrospective applications of public law are thus not an aim and a constraint on its pursuit, in the way that Hart, for example, supposes that the aim of punishment is to discourage crime, and the principle of its distribution is to make the law a system of individual choices.15 Instead, the threat is one of retributive punishment—that the supremacy of the law will be upheld. Announcing penalties in advance enables the law to guide conduct; carrying out the threatened punishment upholds the law even when it is violated.16 These two aspects of punishment are not only mutually supporting but mutually constituting. That is why each can be represented as prior to the other. The retrospective application appears conceptually prior to the prospective, because it determines the content of the threat that can be made; the prospective application appears conceptually prior because retrospective application does nothing more than uphold the law’s entitlement to guide conduct externally.

Having a prospective announcement enable conduct guidance requires the threat to be meaningful and have a real opportunity cost. The potential violator must value their time in society in order to appreciate punishment as an actual cost. Structuring the CJS to aim at rehabilitation ensures criminals are encouraged to develop in a manner that is consistent with right. **RIPSTEIN[[19]](#footnote-19)** uses the parallel case of children; we have a duty to uphold the general will: This now brings us to the category of status. There are some situations in which one person is unable to consent to certain kinds of use. Of the examples Kant discusses, the case of children is the clearest. Kant notes that parents bring children into the world of their own initiative and with- out the consent of the children.18 As a result, children are non-consenting parties to a relationship in which they find themselves. Further, so long as they are children, they are not competent to consent. Nor are they competent to exit the relationship. Precisely because the children are non-consenting parties, parents may not use their children in pursuit of their own ends. Instead, they are subject to a duty to act for the benefit of those children, where the benefit is understood in terms of enabling the children to become purposive beings. Parents have possession of their children, but they do not have the right to use them.19 Falling under the duty to act for the benefit of the children is the right to “manage and develop them” so as to ensure that they become fully responsible persons. A child’s parent or other legal guardian can authorize things to be done to the child, such as medical treatment, so those acts are not wrongs against the child. Relations of status enlarge the purposiveness of those in control of them by entitling them to make arrangements for others; because the power is nonconsensual, their purposiveness is restricted, so that they can only exercise that purposiveness on behalf of those in their charge. hey also enlarge the purposiveness of those for whom others make arrangements. If I entrust you to manage my affairs while I am away, my purposiveness is secured because you make arrangements for me, in pur- suit of my normal purposes. Your purposiveness is enlarged because you get to determine how my goods will be used, subject to the condition that they not be used for your benefit. Thus those who interfere with a status relationship wrong both parties to it. If someone takes it upon himself to see to your child’s religious education without consulting you, he wrongs you by depriving you of the power to “manage and develop” your child as you see fit. He also wrongs the child by depriving her of your management. The child is entitled to be in that relationship, with you in particular, even if it should turn out that some other person could do a better job of it.

The aff is rehabilitative in nature. [card]

reasons to prefer fwk:

1. Virtue ethics is the only way to bridge the ought-ought gap because it recognizes that individuals can make mistakes and then improve on them. **MAYO[[20]](#footnote-20):** Imitation can be amore or less successful. And this suggests another defect of the ethics of principles. It has no room for ideals, except the ideal of a perfect set of principles (which, as a matter of fact, is intelligible only in terms of an ideal character or way of life), and the ideal of perfect conscientiousness (which is itself a character-trait). This results, of course, from the “black-or-white” nature of moral verdicts based on rules. There are no degrees by which we approach or recede from the attainment of a certain quality or virtue; if there were not, the word “ideal” would have no meaning. Heroes and saints are not people whom we try to be just like, since we know that it’s impossible. It is precisely because it is impossible for ordinary human beings to achieve the same quality as the saints, and in the same degree, that we do set them apart from the rest of humanity. It is enough if we try to be a little like them.

2. Any ethical reasoning will require ethics to be explicatory. **READER[[21]](#footnote-21):** What is the alternative? To understand ethics in its own terms. This deprives us of explanatory naturalism. We can't without error expect to understand ethics in any terms but ethical. This has seemed to many philosophers to be unduly restrictive, and to threaten relativism.8 But in fact it does not lead to these difficulties ? or, more accurately, it doesn't exac erbate them. The problem of displaying the rationality of ethics in a com pelling way is real. But it is also general. It is the same as the problem of displaying the rationality of all the other things we do: playing games, conducting scientific enquiry, writing philosophy papers. We might be able to make connections between activities using an analogy with another game, say, to illuminate the game of chess for someone. But all we will ever be able to lay our hands on in the activity of explaining, is more of the same: parts of our life. The idea of our being able to use 'the world as it is in itself to explain any of our activities is practically contradictory. And the idea that rationality supernature, rather than first nature can be used to explain ethics in this way, involves a similar error. The way we think acquire beliefs, deliberate, justify ourselves is also part of our life. It is as 'fundamental' in that life as ethics is, but no more so, no more knowable 'in itself, as Aristotle, in the grip of a similar error to our own, would have put it, than it is 'to us', here and now, living as we live. So explanatory accounts of ethics, whether they invoke first-nature or super natural reason, are mistaken. Explicatory naturalism is as far as we can go. And as far as we need to go.

3. theory reasons to prefer standard: Most people use virtue ethics because it is the most intuitional. We are raised on virtues; nobody teaches their kids deontology, but they teach them simple virtues like being honest and respectful. Other theories cant account for how we reach moral decisions and how we learn.

4.Only naturalism solves for infinite regress. **MACINTYRE[[22]](#footnote-22):** An agent can only justify a particular judgment by referring to some universal rule from which it may be logically derived, and can only justify that rule in turn by deriving it from some more general rule or principle; but on this view since every chain of reasoning must be finite, such a process of justificatory reasoning must always terminate with the assertion of some rule or principle for which no further reason can be given. Each individual implicitly or explicitly has to adopt his or her own first principles on the basis of such a choice. The utterance of any universal principle is in the end an expression of the preferences of an individual will and for that will its principles have and can have only such authority as it chooses to confer upon them by adopting them. However, that does not mean morality in and of its self cannot exist, therefore, I present the following burden analysis an individual will and can have only such authority as [one] chooses to confer upon [it].

contracts interaction:

1) We can only have contract if we have a communal system of language to interpret them and make them so the AC framework is the internal link.

2) Our communal system of language does not equate contacts with morality because we all ask for instance if this contract is moral.

3) Gauthier does not say we need to be absolutely equal in order to form moral contracts – for instance me and my opponent are unequal in intelligence nevertheless we can still hash out reasonable expectations in the debate space – Gauthier is establishing a bright line of such massive inequality (like a human to a horse) that is so extensive that we could not reason with one another, not random inequality.

1. John Rawls [the famous one] *A Theory of Justice*, Revised Edition. Harvard University Press Cambridge, Massachusetts pages 1971. 386-7. [↑](#footnote-ref-1)
2. John Rawls [the famous one] *A Theory of Justice*, Revised Edition. Harvard University Press Cambridge, Massachusetts pages 1971. 155-6 [↑](#footnote-ref-2)
3. Brishen Rogers [Assistant Professor of Law, Temple University James E. Beasley School of Law]. “Justice at Work: Minimum Wage Laws and Social Equality.” Texas Law Review, Vol. 92. April 2014. [↑](#footnote-ref-3)
4. Brishen Rogers [Assistant Professor of Law, Temple University James E. Beasley School of Law]. “Justice at Work: Minimum Wage Laws and Social Equality.” Texas Law Review, Vol. 92. April 2014. MT recut from MZ [↑](#footnote-ref-4)
5. This was bracketed in by Rogers in the original article not by me. [↑](#footnote-ref-5)
6. Oren M, pf public affairs and administration @ Metropolitan College of New York, formerly pf @ Bard, “The Living Wage: Realizing the Republican Ideal” Public Affairs Quarterly, Vol. 17, No. 3 (Jul., 2003), pp. 171-196. [↑](#footnote-ref-6)
7. Porridge with a legal rate of pay Jon Robins Sunday 8 January 2006 05.55 EST [↑](#footnote-ref-7)
8. <http://www.theguardian.com/money/2006/jan/08/prisons.workandcareers> Porridge with a legal rate of pay. Jon Robins. [↑](#footnote-ref-8)
9. http://livingwage.mit.edu/ [↑](#footnote-ref-9)
10. Time to Reckon with Prison Labor. Charles Decker [policy specialist at Yale ISPS] on October 1, 2013. http://isps.yale.edu/news/blog/2013/10/time-to-reckon-with-prison-labor-0 [↑](#footnote-ref-10)
11. Jarek Gryz [Prof in the Department of Electrical Engineering and Computer Science at York University]. “On the Relationship Between the Aretaic and the Deontic.” Ethical Theory and Moral Practice (2011) 14:493–501. Springer. [↑](#footnote-ref-11)
12. [modified for clarity and word economy] Saul Kripke [Might be the smartest philosophy alive today]. *Wittgenstein on Rules and Private Language: An Elementary Exposition*. 1982. Harvard University Press [↑](#footnote-ref-12)
13. [modified for gendered language] Saul Kripke [Might be the smartest philosophy alive today]. *Wittgenstein on Rules and Private Language: An Elementary Exposition*. 1982. Harvard University Press [↑](#footnote-ref-13)
14. Bernard Mayo. *Ethics and the Moral Life*. New York, ST Martin’s Press. 1958 [↑](#footnote-ref-14)
15. Rania [Independent journalist reporting on the underclass and marginalized. She's written for Extra, The Nation, and Truth Out]. 21st-Century Slaves: How Corporations Exploit Prison Labor, 2011. Alter-Net. [↑](#footnote-ref-15)
16. Brishen Rogers [Assistant Professor of Law, Temple University James E. Beasley School of Law]. “Justice at Work: Minimum Wage Laws and Social Equality.” Texas Law Review, Vol. 92. April 2014. MT recut from MZ [↑](#footnote-ref-16)
17. Tim Keller. The Reason for God: Belief in an Age of Skepticism. Penguin Group USA. 2008 [↑](#footnote-ref-17)
18. “Force and Freedom.” Arthur Ripstein, 2009. Prof. of Philosophy and Law at University of Toronto. [↑](#footnote-ref-18)
19. [ibid]. [↑](#footnote-ref-19)
20. Bernard Mayo. The Moral Life. [↑](#footnote-ref-20)
21. N*eeds and Moral Necessity*. Soran Reader. [↑](#footnote-ref-21)
22. *[Alasdair MacIntyre 1, “After Virtue,” 1981. Page 20.]* [↑](#footnote-ref-22)