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A Critique of the Theory of Moral Luck

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Abstract

The problem with moral luck is basically that luck has a lingering influence towards the moral status of our actions. The crux of the question about moral luck hinges on the question: can luck make a difference in what a person is morally responsible for? Although many thinkers have contributed immensely to the issue of moral luck, Bernard Williams and Thomas Nagel argued that our moral status—how good or bad we are, and how much praise or blame we deserve—is largely determined by factors beyond our control. Accepting a phenomenon uncritically means acknowledging that one can be praised or blamed for things beyond one's control. This goes against our most fundamental prospect of evaluating moral actions where we have a deep attachment to the idea that we should be judged morally only about what is within our control. But abandoning the judgments and practices that seem to inevitably lead to these phenomena would require a radical and perhaps almost impossible modification of ordinary moral evaluation. This study, aimed to critically and analytically evaluate moral luck, as discussed by Bernard Williams and Thomas Nagel. The study noted that taking moral luck seriously may create moral dilemma in decision making. It concluded that the idea of moral luck makes moral agents reducible to fatalistic creations.

Keywords: Moral, Luck, Moral Agent, Freewill, Blame-worthy, Praise-worthy, Control Principle

Introduction

It can be argued that one of the defining characteristics of humanity is the capacity for moral behaviour. We have moral values, we think of our actions in moral terms, and we base our ideas about what people deserve on moral considerations. Humans are not the only creatures that act

morally. This means that morality is not exclusive to human; rather other non-sentient creatures possess the ability to act in ways that are moral. Though the cognitive ability and self-awareness cannot be equated with that of humans, but they demonstrate behaviours that agrees with moral principles such as cooperation and empathy. This explains Psychologist Frans de Waal (13) submission that, primates have at least proto-morality. However, our focus in this paper, pertains to human morality as this is what makes us unique as humans. What makes us unique in our morality is our ability to examine, understand, and modify our moral principles, beliefs, and practices. We strive to understand the principles that guide our actions and judgments, and we want them to be consistent with our judgments.

This testing and evaluation of our moral system makes our morality very unique. It is this testing and evaluation that has caused many of the biggest problems and controversies among people regarding our moral practices. Our morality is both one of our species' greatest achievements and one of its greatest curses. The evaluation of our moral system may have brought great growth to human society, but it also opened the way for criticism and challenge. This is not to say that criticism is necessarily bad, but it can sometimes create problems that threaten to undermine our very moral practices. These problems have been growing for centuries.

From Euthyphro's dilemma (which questions the relationship between morality and religion; does morality rest on divine command , or is there a higher standard of morality that the gods must also adhere to), to modern debates about free will and responsibility, as a specie, humans have been intrigued by questions about morality and its complexities. If we want to continually improve our world and our moral system, we must address these issues and ensure that our moral system itself remains intact. One of such issue is moral luck, and that is what we will consider in this study, in particular, the problem of moral luck as explained in the work of Bernard Williams. According to him, our moral system generally provides that we should not punish agents for actions that are outside the control of the agent in question. This seems to lead to a contradiction at the heart of our morality— should we punish or not punish people for actions that are beyond their control? How are actions beyond the rational control of human individuals? This is one question this study must attempt an answer.

Bernard Williams on Moral Luck

Bernard Williams in the introduction of his conception of moral luck viewed the term "Luck" as "lack of control", to mean a 'lack of control. Bernard's argument was that our moral systems presuppose a 'Control Principle', that states that agents may only be judged for actions within their control. In explaining William's perspective on moral luck, David Enoch in his work *A Case against Moral Luck* writes that:

> We tend to assume that people cannot be praised or blamed for something that they are not responsible for. A simple example would be if someone knocked a glass of water out of your hand and it then spilt on another person. In such a case we would conclude that you are not morally responsible for this result, as you could not have done otherwise. The fact is simply that the water spilt was not under your control (3).

Williams then goes on to explain that, contradictorily, our moral systems also do seem to judge people for actions outside their control (27). These two opposing principles create a paradox within our moral systems. He explains that we as agents frequently lack the kind of control necessary for responsibility, due to factors outside of our control. He refers to such factors in so far as they pertain to morality as "moral luck". "Luck" here refers to any part of an agent's life that seems to influence moral judgments related to the agent, but which is also outside of the agent's control.

In the paper "*Moral Luck*", Williams uses the story of an aspiring artist to demonstrate a problem with our moral systems and practice in general. Williams starts the discussion with a description of how we usually see morality, i.e. as unique. As he explains, we are all aware that the world is full of good and bad luck, but, somehow, we see morality and those actions that we tend to make moral judgments about as being immune to these features thus:

> The thought that there is a kind of value which is, unlike others, accessible to all rational agents, offers little encouragement if that kind of value is merely a last resort, the doss-house of the spirit. Rather, it must have a claim on one's most fundamental concerns as a rational agent, and in one's recognition of that one is supposed to grasp, not only morality's immunity to luck, but one's own partial immunity to luck through morality (36).

The intuition that we have about morality is that it pertains to those actions that we can rightly pass judgment on, due to the culpability of the agents performing those actions. This intuition seems to be widespread and is strengthened by various religious teachings, as well as Kant's famous work on morality. We believe that moral responsibility should not be influenced by the unlucky happenings of the moment and that agents should only be punished for those things that are within their control. This "Control Principle" can be formulated with the position that an agent should only be judged for those actions within the agent's control.

A corollary of this principle is that, usually, any action that is outside of the control of the agent should not be liable to moral judgment. The intuitive appeal of this principle is demonstrated when we consider the case of two people (X and Y) who both spill coffee on someone: X, while carrying some coffee, does not take proper notice of her environment because her attention is focusing on something else, perhaps her phone, carelessly trips over a desk and spills her coffee on her colleague sitting there. On this occasion most people will believe that X is at least responsible for being negligent. She is guilty of not taking proper note of her surroundings and should, therefore, be held morally responsible for neglect in this regard. In a second case, Y is also carrying a cup of coffee, but is concentrating on his surroundings and trying his best not to spill any coffee; however, as he passes his colleague, an office chair is pushed into his path and causes him to spill coffee on his colleague. Although the colleague might initially react in the same way in both instances, most people would agree that the second case is an accident and that Y is not to be blamed. Both X and Y spill coffee, yet they are treated differently. The only difference is that while it was within X's control to avoid spilling her coffee (by being more vigilant), it was not within Y's control since he could not avoid the chair.

As much as this moral difference seems intuitive, some philosophers have also explicitly argued that it must be a fundamental part of morality. For an example, Immanuel Kant in his *Groundwork of the Metaphysics of Morals* states:

> Even if by some particular disfavour of fate, or by the scanty endowment of a step-motherly nature, this will should entirely lack the capacity to carry through its purpose; if despite its greatest striving it should still accomplish nothing, and only the good will were to remain (not, of course, as a mere wish, but as the summoning of all means that are within our control); then, like a jewel, it would still shine by itself, as something that has its full worth in itself. Usefulness or fruitlessness can neither add anything to this worth, nor take anything away from it (17).

From the foregoing, it is evident that Kant thus argues that even if a person is unable to act, or if their actions do not turn out as intended, their will remains fully in their control, and we are therefore able to hold them responsible for what they intended.

This free "will" is an important aspect of Kant's philosophy, and indeed our own conceptions of what it means to be human and what it means to be moral. How can we judge, blame, reward, and punish people if what they do is not in their control? When someone does something, it is only the fact that we believe that that action was "part of them", that they meant to do it rather than doing something else, and that we feel we may judge them. This belief stems from the understanding that our choices and decision reflects our personal agency and autonomy. And when we act in accordance with our own will, we own our actions and accept the consequences that may result from it. It is this fully-free will of the human that is called into question when we realize that the world might not afford us the amount of control required by our moral systems. We now have to ask whether we do indeed have such control.

Williams famously argues that we do not have such control, or, at least, that we do not have enough control over our actions to be fully responsible for them. To illustrate this, Williams tells the story of a fictional artist named Gauguin, who had the responsibilities one might expect a grown man to have, such as holding down a job and caring for a family. However, he also felt that he would not reach his full potential as a painter leading the life that he currently led (Williams 38). It is important to note that Williams stipulates that Gauguin is not morally bankrupt. He knows he has these other responsibilities, and he believes he ought to fulfil them. Nevertheless, his desire to become a great painter eventually pushes him to neglect these duties. He hopes that by starting a new life he may become a great painter, but he has no way of knowing whether or not he will be successful.

It is here that Williams argues that Gauguin has no way of justifying his decision to be a good painter until he has gained success, hence, Gauguin has no way of knowing whether his decision is a good one or not. If Gauguin fails, his decision would have been a bad one, if he succeeds, his decision would be a good one (Williams 38). It is important to note that Williams does not cast this decision in moral terms; rather, he states that Gauguin has no way of knowing if his decision is rational, and therefore, a good one. Williams then argues that this insight also has bearing on moral decisions and actions. It is with the story of Gauguin that Williams

believes he is able to demonstrate the problem we face. The problem is not that we have to wait until after the fact to make our moral judgment, rather, it lies in how the circumstances which lead to either a good or bad judgment come about, and also in how the effects of our decisions play out.

William argues that it might seem theoretically possible to find a criterion which allows us to judge the rightness/wrongness of an action before we make it, but that such criteria would still seem to require some information about the future. The problem with the future, at least from this perspective, is that it is uncertain, and the reason for this uncertainty lies in all the different factors that are at play in any decision that we make, as well as its effects. No one person is able to control all aspects of his life; so, whether Gauguin becomes a successful artist or not will be partially up to him, but also partially up to how morally lucky he is in finding the right place to work, choosing the right moment to act, and working in the particularly popular style of art of that time, to name a few. Williams thus argues that Gauguin has no way of knowing whether or not he will be successful, and that to some degree his rational justification for his actions depends on his success or failure (Williams 40 – 41). Something similar applies when it comes to the morality of our actions.

One can summarize all of this as follows: Gauguin should only hold himself responsible for those things within his control. He decides to leave his family and pursue a career in art, whether he did the right or wrong thing (in neglecting his responsibilities) is also partially dependent upon his failure or success as a painter, yet these are not wholly within his control. This is due to the fact that people judge people not just for what was "rational" at a given time, but also for what actually happened, and moral judgment is therefore susceptible to post hoc factors. Hence, Gauguin is responsible for something not within his control. It is this story that captures the apparent paradox within our moral systems: we ought only to blame ourselves for what is in our control, but we do blame ourselves for what is not.

The Nature of Moral Luck and How They Affect Moral Responsibility

Thomas Nagel also contributed immensely to the problem of moral luck. Thomas Nagel tries to defend moral luck by saying that a moral agent is never responsible for the action performed by him, because the situation or outer conditions of an action, which are not controlled by the agent, are responsible for an action. In his work *Moral Luck,* Thomas Nagel claims that moral luck reveals a paradox. It holds that the apparent paradox emerges only because it is assumed that attributions of responsibility require agents to have total control over their actions.

Thomas Nagel was the first author to distinguish between four different "types" of luck and this paper will adopt same. Although Nagel distinguishes between the four types, they are still related to one another and all refer to the same issue: the seeming paradox between the Control Principle and the fact that we tend to include factors out of the agent's control. Nagel starts his discussion by admitting that the Control Principle seems to be intuitively appealing. But he argues that, although the Control Principle seems to be intuitively true, he does not agree with Kant that intentions are all that matter when making moral judgments. He believes it also seems intuitively true that what actually happens should also have an effect on moral judgments, and therefore, we have a conflict between the Control Principle and the way we actually make moral

assessments (Nagel 58). He further strengthens this intuition by distinguishing between two different forms of blame. According to him, although we may judge some things as being bad (such as death or harm), these are not necessarily within the scope of moral judgment. As Nagel explains: "…but when we blame someone for his actions we are not merely saying it is bad that they happened, or bad that he exists: we are judging him, saying he is bad, which is different from him being a bad thing." (58)

It is this second form of bad that the Control Principle is concerned with. We want to only blame and judge people as bad for doing what is within their control. Since it is undoubtedly true that much of what we do depends on factors beyond our control, Nagel asks whether we should not simply deny the Control Principle. If we can clearly show examples where it does not hold, we should reject it and find another, more refined principle by which to judge others.

The problem, Nagel argues, is that we cannot do this since the Control Principle is not only a foundational part of our moral systems; it is still an intuitively necessary requirement for justified moral judgments. It is not the principle of control itself that is the problem here (i.e. it is not an "ethical" or "logical" mistake), but the paradox that arises when we consider the facts about the way in which the world is constituted and the principles our moral systems imply (Nagel 59). The principle of control is not false, and hence is not something we can simply get rid of. Therefore, Nagel believes, we truly do have a paradox at the heart of our moral systems. With this in mind, he goes on to describe four separate instances of luck which each, in their own way, takes away one aspect of an agent's control over her actions and their results. It is Nagel's thesis that if we accept these to be true, we lose moral responsibility.

The first form of luck is called Resultant luck. Nagel identifies this as the first of two types of luck that fall within the sphere of external factors that affect the causes and effects of our actions. Resultant luck is concerned with how things turn out, or, put more simply, how your actions play out in the real world and "actually" occur. To demonstrate this, we can consider the case of two different truck drivers: Both of these truck drivers find themselves driving on the road. Known to both, their brakes have not been checked and serviced in a while. It is clear that both drivers are negligent. If the story were to stop here, most would agree that they should be blamed equally for this negligence. However, as luck would have it, one of the drivers makes it to his destination safe and sound, while the other is in an unfortunate accident where a child has fallen into the road, and due to the poor brakes of the truck, the driver was not able to come to a stop in time, thereby crushing the child to death.

The story above poses an interesting question: are both drivers equally blameworthy or is the second more blameworthy, given the results of his negligence? Nagel argues that cases like the above demonstrate that while we hold the Control Principle to be true, we also blame people for the results of their actions, even when these results were not within their control. Moral blame, according to Nagel, is thus subject to external factors (if we blame people for the results of their actions rather than their intentions). Luck (or otherwise stated, a lack of control) often characterizes the results of our actions and therefore undermines the Control Principle when it comes to moral judgments.

A second type of luck Nagel introduces is that of circumstantial luck. This is the type of luck in the circumstances in which you find yourself. Circumstances (the world around you) play a large role in who you are and what you do. It plays a role in the development of your

personality and, of course, different circumstances require different reactions. As Nagel explains: The things we are called upon to do, the moral tests we face, are importantly determined by factors beyond our control. It may be true of someone that in a dangerous situation he would behave in a cowardly or heroic fashion, but if the situation never arises, he will never have the chance to distinguish or disgrace himself in this way (Nagel 65). Again, to demonstrate how this diminishes your control when it comes to moral matters, Nagel uses the Second World War as an example. He explains that the ordinary citizens of Germany, during the rise of Nazism, had the option to either oppose the Nazi government (a commendable act) or to join them (an action which is now looked upon with disdain). This "test", as Nagel calls it, was one not shared by the people in other countries, but that is not to say they would not have acted as badly as many Germans did, were they to have been presented with the same circumstances (Nagel 65).

The same is true of Germans who were lucky enough to have emigrated out of the country before the rise of the Nazi party. It would seem that whether one is morally judged as a good or bad person also depends on how lucky one is in the circumstances one finds oneself in. Or, as Nagel puts it: "We judge people for what they actually do or fail to do, not just for what they would have done if circumstances had been different" (56). The world pushes and pulls us in different directions, placing us in different circumstances. We are only able to react to those circumstances we are presented with, so why should we be held accountable for those actions when others (through no merit or fault of their own) are not?

The third type of luck, Constitutive luck, which determines who you are; arguably, our personalities, wills, desires, and capabilities are to a large extent formed by the world around us. We may have no direct control over who we are, and yet we hold one another responsible for actions that came about due to our personality, even though we may not be responsible for it. Some people have extremely hard lives, some people have privileged lives, and this shapes the sort of people they are (Walker 12). Why should we say a thief is a bad person when, for the sake of argument, his behaviour and attitudes were caused by a hard life full of struggle? We praise people who support and assist others, but, again, for the sake of argument, why should we praise them when such behaviour and attitudes were caused by a life of privilege where they had the opportunity to develop such a character? Examples such as these are meant to demonstrate that the people we are, and therefore the moral judgments accrued to us, are influenced by many factors out of our control.

And this observation takes us to causal luck that has to do with how one's actions are caused by the circumstances that precede them. In this regard, if determinism is true, then all our actions are caused by events that happened before us. These events are beyond our control, so why hold ourselves responsible for actions that inevitably result from them? To summarize, we seem to find the Control Principle intuitively plausible, yet, we also seem to lack control in three distinct yet related ways. First, we seem to lack control over how our actions turn out. Second, we seem to lack control over the opportunities and challenges we face. Finally, we lack control over the people we are and the intentions we have. Taken together, these three types of luck undermine the Control Principle and therefore moral responsibility.

Evaluation of the Theory of Moral Luck

It is indisputable that the realm of moral responsibility revolves around humans because of the capacity and ability to reason, the capacity to decipher what is right or wrong. Levy in his work *Hard Luck: How Luck Undermines Free Will and Moral Responsibility* asserts that the agent can control his actions and that he can be held responsible for such action, because intuitively, we understand people to have a part that controls their actions and another part which is controlled (54). The thrust of this idea is that man exhibits some level of decision over the things he does, and man is not absolutely a fatalistic creation. Similarly, Pereboom in *Living without Freewill* also writes that character traits or mental states cannot be seen as being beyond the control of the agent (13). For this reason, if we accept the Control Principle, we hold that agents can only be held morally responsible for their actions insofar as these actions are somehow under their control. But, the question remains, how can we decipher the fact that other actions which we feel an agent is not blameworthy are not under the agent's control? As demonstrated by Robert Adams in his *Involuntary Sins* this claim leads to a problem (91). Adams argued that there is no conception of circumstances that allows us to conclude that agents do not have a sufficient level of control over their characters to satisfy the Control Principle. Characters are voluntary by being operations of the will, since there is no way to make sense of the idea that agents can "try" or "will" their characters into being.

Now that we have a better understanding of the agent and what exactly it is that we expect to be in control, we can move on to understanding the relationship between the agent and their circumstances. The problem of circumstantial luck states that different people face different challenges and tests, as well as different opportunities for success, and that this is not fair since the praise or blame accrued to them would have also been accrued to others, had they found themselves in the same circumstances. Again, we lack control over our circumstances and this violates the Control Principle, which undermines our moral responsibility. If this is true, it then implies that no one is worthy of any praise since such actions may not be under the person's control, but only circumstantial influences.

From the foregoing, we may assert that the whole prospect of the argument about moral luck may be reduced to the idea that we have moral agents equipped with all the relevant psychological states and capacities necessary to make moral decisions and actions; without these states/properties, we would not be talking about moral agents. It is this set of states and capacities which exercises 'control' and therefore bares moral responsibility (agent-causality). This implies that moral judgements require actions that make the judgement possible, and for this to happen, it requires an environment in which a person can act in a way that indicates a moral position. These circumstances and the judgements that accompany them do not determine the agent's moral standing, but only the agent's moral record.

Practically, if we hold the perspective of moral luck which leans on the control principle, as hinted above, then nobody should be punished by the criminal code because people should be punished for their wrongdoing, not for any practical reason (such as deterrence), but solely on the bases that they deserve punishment because they did wrong. If an agent hurts someone, then they deserve to be hurt back. This principle will imply that anyone cannot escape punishment since such an agent can always have an excuse for the immoral actions committed.

Caruso in his *Why Luck (Still) Undermines Moral Responsibility* asserts that:

> Kant was right when he thought that luck should not come into ethics. Every action which can be assessed in moral terms must be freely performed: you should not be held morally responsible for anything outside your conscious control. This view seems plausible: our notions of moral praise and blame are focused on what is and is not avoidable, on what is within the agent's control (19).

Kant believed that good or bad luck should influence neither our moral judgment of a person and his actions, nor his moral assessment of himself. The good will is not good because of what it effects or accomplishes or because of its adequacy to achieve some proposed end; it is good only because of its willing, i.e., it is good of itself. And, regarded for itself, it is to be esteemed incomparably higher than anything which could be brought about by it in favour of any inclination or even of the sum total of all inclinations.

Conclusion

The study notes that the problem of moral luck is the seeming paradox that occurs due to the fact that we believe two contradictory things, both to be intuitively true. The first is the Control Principle which states that an agent can only be held morally responsible for those things within their control (McCann 22). A corollary to this principle is that an agent cannot be held responsible for that which is not in their control. The second is the fact that we do, in general, judge agents for things not in their control, and intuitively we feel this is right.

The justification for the Control Principle is both intuitive and moral. As was discussed, we intuitively believe the Control Principle to be true because it seems right. More than this, the Control Principle also seems like a fundamental part of our moral systems. We can see in the writings of Kant that we cannot abort freewill from our moral frameworks because it is intrinsically linked to our actions.

The study concludes by stating that the idea of moral luck makes moral agents reducible to a fatalistic creation. Moreover, morality remains one of the ways of keeping society in order. Relying therefore on moral luck in assessing the actions of persons can yield anarchy since everyone will have an explanation as to their innocence, and the cause of their moral misdemeanour. Finally, the freedom of the will debate does threaten the particular case for moral luck by contradicting the fundamental tenets of the theory.

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