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Introduction to Ethics
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Moral Luck and Manifestations of the Will

When considering moral culpability, it is arguably intuitive to claim that we are only morally assessable for things that are under our control (commonly referred to as the Control Principle). However upon further examination it becomes quite clear that this intuition is flawed, (a) because we control a lot less than we take ourselves to and (b) because we seem to be held morally accountable for matters which are ostensibly out of our control. This idea is deeply disconcerting, because while luck has a bearing on our lives in countless ways, the idea that morality is impervious to luck provides us with a sort of comfort, or "solace to a sense of the world's unfairness". [1] These concerns drive the discussion of "moral luck" – a situation in which luck makes a perceived moral difference – a real moral dilemma if we wish to uphold the notion of agency and/or free will. American philosopher Thomas Nagel presents this uncomfortable predicament as the tension between the aforementioned Control Principle and the inevitability that luck plays an important (perhaps even fundamental) role in the perception of a person's moral standing.

Nagel describes moral luck as having four manifestations, two of which can be described as constitutive luck – the luck involved in having certain traits or dispositions, and circumstantial luck – the luck involved in the particular situations one faces. The other two (although not explicitly named by Nagel in his essay) are commonly known as resultant luck – the luck ascribed to the way things turn out, and casual luck – "luck in how one is determined by antecedent circumstances". [2] For Nagel, the inclusion of casual luck highlights the importance of

[1] Williams, Bernard. "Moral Luck," 1976.
[2] Nagel, Thomas. "Moral Luck," 1976.

free will and determinism in the moral luck discussion. However, constitutive and circumstantial luck seem to cover similar territory, representing respectively what we are and what happens to us. The problem of moral luck as Nagel describes it is related to, but distinct from, the problem of free will and determinism – whether or not people possess free will is independent of how they are subsequently morally assessed, so casual luck will be considered along with constitutive luck in the following discussion. In making a case for the existence of moral luck, it is necessary to examine the former three kinds of luck to determine whether their occurrence results in their making an obvious moral difference in the agent's moral standing. While the existence of constitutive moral luck seems to be supported by Nagel's analysis, the question as to whether and how circumstantial and/or resultant luck can create a true *moral* difference for the agent requires further investigation.

At the core of the Control Principle is the notion that fair moral assessment is impossible without the right kind of control – the "right kind of control" being instances of voluntary action (or lack thereof) attributable to an agent's direct and conscious efforts. The appropriate condition for the fulfillment of the Control Principle eliminates instances of obvious coercion as well as innate dispositions to act in a certain way (for example, where a person may be inherently vengeful). Setting aside these external and internal limitations on agency, some semblance of a "will" should remain that allows for an agent to decide what is right and what is wrong, regardless of their temperamental background. Kant defends the existence of this relatively optimistic principle in his *Groundwork for the Metaphysics of Morals*, where he upholds that it is possible for an agent of considerable evil temperament to behave morally by executing his will and resisting his impulses to act badly in an effort to attain virtue. [3] Under these conditions, the

[3] Johnson, Robert and Cureton, Adam, "Kant's Moral Philosophy", *The Stanford Encyclopedia of Philosophy* (Spring 2019 Edition), Edward N. Zalta (ed.), https://plato.stanford.edu/archives/spr2019/entries/kant-moral/.

agent could be fairly morally assessed and morality could stand as partially immune to luck. However, although it is comforting to entertain the idea that an agent can overcome immoral impulses, the question must be asked – at what point does an agent assume obvious control over his impulses? Suppose an agent inherently lacked the ability for the "monumental effort of will" necessary to overcome his vices and attain the virtue that Kant speaks of? [4] This is why the discussion of free will and determinism is related to the moral luck predicament. Ingrained in the defence of the existence of constitutive luck is a discussion of the existence of genuine agency – because a person's innate disposition ultimately affects what they do and how they are subsequently morally assessed. If one were to assert that determinism exists, in contrast to Kant's optimistic moral philosophy, nothing remains which can be attributed to an agent's direct and conscious efforts. It is because the existence of genuine agency cannot be proven or disproven that the existence of constitutive moral luck appears to stand – where luck associated with the possession of certain traits or dispositions has made an obvious difference in the way an agent is morally assessed.

While it seems feasible for instances of constitutive luck to support the existence of moral luck, resultant and circumstantial luck may not illustrate the instance of moral luck in the same way. These two forms of luck are certainly related to the issue of moral luck, but instead of demonstrating the existence of moral luck, per Nagel's definition, it is possible to argue that they merely highlight instances where moral assessment is a natural consequence of a particular result or circumstance. Take the unfortunate driver as an example of resultant luck, or the German citizen who becomes a Nazi soldier as an example of circumstantial luck. [5] For both kinds of

[4] Nagel, Thomas. "Moral Luck," 1976.

[5] These situations are often cited examples of resultant and circumstantial luck, respectively. The "unfortunate driver" involves two drunk drivers of equal moral standing, but one accidentally hits and kills a child on his way home – the driver who does not hit the child is resultantly lucky. The Nazi soldier example highlights the luckiness that many citizens in other countries besides Germany were never forced to make the decision to become a Nazi in the first place – these citizens were circumstantially lucky.

scenarios, Nagel asserts that these are examples of moral luck because "we judge people for what they actually do or fail to do, not just for what they would have done if the circumstances had been different". [6] It was unlucky that the drunk driver could not avoid killing a child where another drunk driver was not challenged by such an incident, just as it was unlucky that many ordinary citizens of Nazi Germany were subjected to joining an oppressive regime where the citizens of many other countries were not required to make such a choice. In both cases, the unlucky agents are condemned while the lucky agents of equal moral standing are exempt from negative moral assessment. But does the acknowledgement that we judge people for what they actually do or fail to do imply that their resultant or circumstantial luck has indeed made a moral difference?

Consider the case of resultant luck: what is the unfortunate driver being judged for? He is not being judged for his bad driving skills – he is being judged for his decision to drink and drive which is, by extension, a direct reflection of his inherent morality as a person (a direct reflection of his *constitutive* luck, if you will). The death of the child in the case of the unfortunate driver only (unluckily) revealed his moral failings, while the moral failings of the fortunate driver (luckily) escaped detection. These instances of apparent resultant and circumstantial luck seem to only make *epistemic* rather than moral differences. Upon examination, it seems that moral luck in the context of results or circumstances seems to only improve or worsen our position to assess a person's moral standing, without actually altering that standing. While it may be an instinctive reaction to view the unfortunate driver as morally inferior to the fortunate driver, it can be argued that the death of the child merely highlighted the driver's moral failings. If analyzed in the same way, the existence of constitutive luck still stands, because it is the constitution of the aspects of

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[6] Nagel, Thomas. "Moral Luck," 1976.

a person's moral character which are revealed by a particular instance of resultant or circumstantial luck. If by constitutive luck, for example, the unfortunate driver's moral vice was binge drinking, his unlucky immoral disposition would not make an epistemic difference that revealed or concealed his character – it would, however, make a significant difference in our assessment of his moral status.

A drunk driver, however, may indeed be more to blame if he kills a child than if he does not – but this is not because he is morally deficient compared to the drunk driver who did not kill a child. In this example, blame must be understood in terms of punishment and not as a direct reflection of an agent's moral assessment. Nagel's assessment of the problem of moral luck reveals the paradox that whilst praise or condemnation is unfair in situations where "determinism obliterates responsibility," refraining from moral evaluation leaves uncomfortable inability to make any judgment. [7] Moving on from Nagel's argument to the impact of consequences, it can be argued that it is also *important* not to refrain from making judgements about a person's moral status. It is arguably correct to continue to *punish* instances of bad will, so as to encourage good will in the future. Even if the world was completely deterministic, our actions are still a result of both internal and external driving forces. So, it would be reasonable to assume that less people will drive drunk in a society where drunk driving is condemned (the condemnation being the external driving force), regardless of their innate moral inclination. We punish the unfortunate driver to deter others from drinking and driving – and while moral blame for the child's death (imparted on the driver by the child's family, for example) may be an expected consequence for the driver's actions, it should not be seen as the logical consequence.

From this analysis, a logical conclusion would be that constitutive luck is the closest we get to moral luck, since both resultant and circumstantial luck are mere modes of epistemic

[7] Nagel, Thomas. "Moral Luck," 1976.

access to fill the intuitive need to evaluate a person's moral character. However, we need to be aware that a focus on constitutive luck raises key questions about a person's morally essential core and the luck associated with the gift of control of the will. The dilemma thus presented is confounded by the need to judge and the need to assign blame in terms of punishment, since punishment arguably has a deterrent influence on future manifestations of the will (however constitutively lucky a person's will may be).