

# MORTAL QUESTIONS

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Thomas Nagel

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## Moral Luck

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 favor of any inclination or even of the sum total of all inclinations. Even if it should happen that, by a particularly unfortunate fate or by the niggardly provision of a stepmotherly nature, this will should be wholly lacking in power to accomplish its purpose, and if even the greatest effort should not avail it to achieve anything of its end, and if there remained only the good will (not as a mere wish but as the summoning of all the means in our power), it would sparkle like a jewel in its own right, as something that had its full worth in itself. Usefulness or fruitlessness can neither diminish nor augment this worth.<sup>1</sup>

He would presumably have said the same about a bad will: whether it accomplishes its evil purposes is morally irrelevant. And a course of action that would be condemned if it had a bad outcome cannot be vindicated if by luck it turns out well. There cannot be moral risk. This view seems to be wrong, but it arises

in response to a fundamental problem about moral responsibility to which we possess no satisfactory solution.

The problem develops out of the ordinary conditions of moral judgment. Prior to reflection it is intuitively plausible that people cannot be morally assessed for what is not their fault, or for what is due to factors beyond their control. Such judgment is different from the evaluation of something as a good or bad thing, or state of affairs. The latter may be present in addition to moral judgment, 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 his being a bad thing. This kind of judgment takes only a certain kind of object. Without being able to explain exactly why, we feel that the appropriateness of moral assessment is easily undermined by the discovery that the act or attribute, no matter how good or bad, is not under the person's control. While other evaluations remain, this one seems to lose its footing. So a clear absence of control, produced by involuntary movement, physical force, or ignorance of the circumstances, excuses what is done from moral judgment. But what we do depends in many more ways than these on what is not under our control – what is not produced by a good or a bad will, in Kant's phrase. And external influences in this broader range are not usually thought to excuse what is done from moral judgment, positive or negative.

Let me give a few examples, beginning with the type of case Kant has in mind. Whether we succeed or fail in what we try to do nearly always depends to some extent on factors beyond our control. This is true of murder, altruism, revolution, the sacrifice of certain interests for the sake of others – almost any morally important act. What has been done, and what is morally judged, is partly determined by external factors. However jewel-like the good will may be in its own right, there is a morally significant difference between rescuing someone from a burning building and dropping him from a twelfth-storey window while trying to rescue him. Similarly, there is a morally significant difference between reckless driving and manslaughter. But whether a reckless driver hits a pedestrian depends on the presence of the pedestrian at the point where he recklessly passes a red light. What we do is also limited by the opportunities and choices with

<sup>1</sup> *Foundations of the Metaphysics of Morals*, first section, third paragraph.

which we are faced, and these are largely determined by factors beyond our control. Someone who was an officer in a concentration camp might have led a quiet and harmless life if the Nazis had never come to power in Germany. And someone who led a quiet and harmless life in Argentina might have become an officer in a concentration camp if he had not left Germany for business reasons in 1930.

I shall say more later about these and other examples. I introduce them here to illustrate a general point. Where a significant aspect of what someone does depends on factors beyond his control, yet we continue to treat him in that respect as an object of moral judgment, it can be called moral luck. Such luck can be good or bad. And the problem posed by this phenomenon, which led Kant to deny its possibility, is that the broad range of external influences here identified seems on close examination to undermine moral assessment as surely as does the narrower range of familiar excusing conditions. If the condition of control is consistently applied, it threatens to erode most of the moral assessments we find it natural to make. The things for which people are morally judged are determined in more ways than we at first realize by what is beyond their control. And when the seemingly natural requirement of fault or responsibility is applied in light of these facts, it leaves few pre-reflective moral judgments intact. Ultimately, nothing or almost nothing about what a person does seems to be under his control.

Why not conclude, then, that the condition of control is false – that it is an initially plausible hypothesis refuted by clear counter-examples? One could in that case look instead for a more refined condition which picked out the *kinds* of lack of control that really undermine certain moral judgments, without yielding the unacceptable conclusion derived from the broader condition, that most or all ordinary moral judgments are illegitimate.

What rules out this escape is that we are dealing not with a theoretical conjecture but with a philosophical problem. The condition of control does not suggest itself merely as a generalization from certain clear cases. It seems *correct* in the further cases to which it is extended beyond the original set. When we undermine moral assessment by considering new ways in which

control is absent, we are not just discovering what *would* follow given the general hypothesis, but are actually being persuaded that in itself the absence of control is relevant in these cases too. The erosion of moral judgment emerges not as the absurd consequence of an over-simple theory, but as a natural consequence of the ordinary idea of moral assessment, when it is applied in view of a more complete and precise account of the facts. It would therefore be a mistake to argue from the unacceptability of the conclusions to the need for a different account of the conditions of moral responsibility. The view that moral luck is paradoxical is not a *mistake*, ethical or logical, but a perception of one of the ways in which the intuitively acceptable conditions of moral judgment threaten to undermine it all.

It resembles the situation in another area of philosophy, the theory of knowledge. There too conditions which seem perfectly natural, and which grow out of the ordinary procedures for challenging and defending claims to knowledge, threaten to undermine all such claims if consistently applied. Most skeptical arguments have this quality: they do not depend on the imposition of arbitrarily stringent standards of knowledge, arrived at by misunderstanding, but appear to grow inevitably from the consistent application of ordinary standards.<sup>2</sup> There is a substantive parallel as well, for epistemological skepticism arises from consideration of the respects in which our beliefs and their relation to reality depend on factors beyond our control. External and internal causes produce our beliefs. We may subject these processes to scrutiny in an effort to avoid error, but our conclusions at this next level also result, in part, from influences which we do not control directly. The same will be true no matter how far we carry the investigation. Our beliefs are always, ultimately, due to factors outside our control, and the impossibility of encompassing those factors without being at the mercy of others leads us to doubt whether we know anything. It looks as though, if any of our beliefs are true, it is pure biological luck rather than knowledge.

Moral luck is like this because while there are various respects in which the natural objects of moral assessment are out of our control or influenced by what is out of our control, we cannot

<sup>2</sup> See Thompson Clark, 'The Legacy of Skepticism', *Journal of Philosophy*, lxi, no. 20 (November 9, 1972), 754–69.

reflect on these facts without losing our grip on the judgments.

There are roughly four ways in which the natural objects of moral assessment are disturbingly subject to luck. One is the phenomenon of constitutive luck – the kind of person you are, where this is not just a question of what you deliberately do, but of your inclinations, capacities, and temperament. Another category is luck in one's circumstances – the kind of problems and situations one faces. The other two have to do with the causes and effects of action: luck in how one is determined by antecedent circumstances, and luck in the way one's actions and projects turn out. All of them present a common problem. They are all opposed by the idea that one cannot be more culpable or estimable for anything than one is for that fraction of it which is under one's control. It seems irrational to take or dispense credit or blame for matters over which a person has no control, or for their influence on results over which he has partial control. Such things may create the conditions for action, but action can be judged only to the extent that it goes beyond these conditions and does not just result from them.

Let us first consider luck, good and bad, in the way things turn out. Kant, in the above-quoted passage, has one example of this in mind, but the category covers a wide range. It includes the truck driver who accidentally runs over a child, the artist who abandons his wife and five children to devote himself to painting,<sup>3</sup> and other cases in which the possibilities of success and failure are even greater. The driver, if he is entirely without fault, will feel terrible about his role in the event, but will not

<sup>3</sup> Such a case, modelled on the life of Gauguin, is discussed by Bernard Williams in 'Moral Luck' *Proceedings of the Aristotelian Society*, supplementary vol. 1, (1976), 115–35 (to which the original version of this essay was a reply). He points out that though success or failure cannot be predicted in advance, Gauguin's most basic retrospective feelings about the decision will be determined by the development of his talent. My disagreement with Williams is that his account fails to explain why such retrospective attitudes can be called moral. If success does not permit Gauguin to justify himself to others, but still determines his most basic feelings, that shows only that his most basic feelings need not be moral. It does not show that morality is subject to luck. If the retrospective judgment were moral, it would imply the truth of a hypothetical judgment made in advance, of the form 'If I leave my family and become a great painter, I will be justified by success; if I don't become a great painter, the act will be unforgivable.'

have to reproach himself. Therefore this example of agent-regret<sup>4</sup> is not yet a case of *moral* bad luck. However, if the driver was guilty of even a minor degree of negligence – failing to have his brakes checked recently, for example – then if that negligence contributes to the death of the child, he will not merely feel terrible. He will blame himself for the death. And what makes this an example of moral luck is that he would have to blame himself only slightly for the negligence itself if no situation arose which required him to brake suddenly and violently to avoid hitting a child. Yet the *negligence* is the same in both cases, and the driver has no control over whether a child will run into his path.

The same is true at higher levels of negligence. If someone has had too much to drink and his car swerves on to the sidewalk, he can count himself morally lucky if there are no pedestrians in its path. If there were, he would be to blame for their deaths, and would probably be prosecuted for manslaughter. But if he hurts no one, although his recklessness is exactly the same, he is guilty of a far less serious legal offence and will certainly reproach himself and be reproached by others much less severely. To take another legal example, the penalty for attempted murder is less than that for successful murder – however similar the intentions and motives of the assailant may be in the two cases. His degree of culpability can depend, it would seem, on whether the victim happened to be wearing a bullet-proof vest, or whether a bird flew into the path of the bullet – matters beyond his control.

Finally, there are cases of decision under uncertainty – common in public and in private life. Anna Karenina goes off with Vronsky, Gauguin leaves his family, Chamberlain signs the Munich agreement, the Decembrists persuade the troops under their command to revolt against the czar, the American colonists declare their independence from Britain, you introduce two people in an attempt at match-making. It is tempting in all such cases to feel that some decision must be possible, in the light of what is known at the time, which will make reproach unsuitable no matter how things turn out. But this is not true; when someone acts in such ways he takes his life, or his moral position, into his hands, because how things turn out determines

<sup>4</sup> Williams' term (*ibid.*).