

## 24.231 Ethics – Handout 25 Nagel, “Moral Luck”

*Control Principle:* People cannot be morally assessed for what is due to factors beyond their control.

*Corollary to the CP:* Two people ought not to be morally assessed differently if the only other differences between them are due to factors beyond their control.

*Moral Luck:* 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*.

*Some initial examples:*

- We think manslaughter is worse than reckless driving that does not result in a death.
- We think murder is worse than attempted murder.
- 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 (assume this was something he could not control), but we still judge him harshly.

*Problem:* Because of the many ways in which the shape of our lives and intentions and effects of our actions are beyond our control, if the condition of control is consistently applied, it threatens to erode most of the moral assessments we find it natural to make.

So is this just evidence that the CP is false?

Nagel: No. “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 absences of control is relevant in these cases too.” (p. 443)

*Analogy to Skepticism:*

- Formal analogy: When we recognize that the kinds of things we think would generally undermine our claim to *know* something (e.g, we would think it even if it were false, or our evidence supports an alternative thesis equally well, or the reasons we believe it are unconnected with it’s truth...) have much broader application, this has a tendency to undermine our confidence that we know anything, rather than just leading us to reject the relevant standards for knowing.
- Substantive analogy: There is a problem of *epistemic luck* that runs parallel to the problem of moral luck.
  - On some theories of knowledge, according to which whether we count as knowing can depend on factors external to us, and beyond our control, whether we know something seems to come down to luck (rather than some kind of epistemic virtue).

- But theories of knowledge according to which whether we count as knowing depends only on internal features of us – facts about our deliberation process and beliefs – and not on what goes on outside of us and beyond our control – threaten to lead to skepticism: a general undermining of knowledge. What we believe, and the relation of our beliefs to reality, seems almost always to be due to factors beyond our control.

#### 4 Kinds of Moral Luck

(1) Luck in the way one's actions and projects turn out

Examples:

- The truck-driver who failed to have his breaks checked recently, whose break failure kills/does not kill a child.
- The drunk or sleepy driver who swerves onto the sidewalk and kills/does not kill a pedestrian.
- Murder/attempted murder.
- Bill Belichick's 4<sup>th</sup> down call.
- Leaving the baby's bathwater running: Nagel – These differences in assessment are not mere expressions of temporary attitude – one can say *in advance* how the moral verdict will depend on the results (whether one's done something horrible or merely been negligent)
- Gaugin (success at some costly endeavor may be beyond our control, but it may determine the moral status of our actions)
- Decisions made under uncertainty (remember Lenman): Gaugin, Chamberlain, the Decemberists, the American Revolution, match-making...
- *Question*: why do we accept that bad moral luck might make someone morally worse, but not that bad luck can turn an otherwise innocent action into a morally bad one?

(2) Constitutive Luck: Luck in the kind of person you are – your inclinations, capacities and temperament.

- We might blame people for having character traits that are beyond their control. (But we sometimes see a bad upbringing, e.g., as an extenuating circumstance.)
- What is it to have a vice? Can one be greedy, envious, or conceited, but, through effort of will, *behave* perfectly well? If no, then even bad *actions* seem like they could be the result of constitutive moral bad luck. If yes, and if one can be condemned for such vices, having them still seems like a case of moral bad luck.
  - Are such qualities always the result of earlier bad choices, or always amenable to change by current actions?)
  - Ought-implies-Can again plays a role here: we ought be virtuous (even if we're not), so being virtuous must be something *we can be* (even if we're not). What's the relevant sense of "can" here?

(3) Luck in one's circumstances:

- We may conclude that we're appropriately assessable for our bad characters, and the actions resulting from them. But some (probably inconclusive) empirical literature suggests that how people act is determined more by circumstance than by character.
- Ordinary citizens of Nazi Germany, white children of slave owners in the 1850s, and persons brought up to embrace conventional sex roles
- *Situationism*: Some experiment social psychology suggests that much of human behavior is attributable not to robust character traits but to seemingly trivial features of the situations in which persons find themselves
  - phone booth experiment
  - Milgram experiments
- Guilt by association: e.g. Vietnam
- Can we be morally responsible for what we *do*, if what we do is the result of who and where we are, and who and where we are is not the result of something we *do*, and so is not something we are responsible for?

(4) Luck in how we are determined: the free will problem

- If determinism is right (or even if the world is indeterministic) then everything we are and do (including "the stripped down acts of the will itself") will depend on factors beyond our control.

### *Replies*

- Epistemic arguments: we're justified in treating cases of bad resultant luck and bad circumstantial luck differently from cases of good luck because we can't *know*, e.g., of the drunk driver who doesn't hit the pedestrian whether he would have noticed the person an stopped had she been there; can't *know* how we might have acted in, e.g., Milgram's experiment; can't *know* whether the murder failed because the attacker wasn't fully committed to carrying through.
- Pragmatic arguments: perhaps we have pragmatic reasons for, e.g., treating such cases differently in the law (because we can't lock up every drunk driver, but we can threaten every drunk driver with locking them up should they be unlucky – consider also Lewis' "The Punishment that Leaves Something to Chance")
- We might also think that while there is no difference as far as *virtue* or *vice* goes between, say, the parent who's baby drowns in the bathwater and the parent whose baby does not drown, there is something very wrong with parents who don't blame themselves more when the baby drowns than when it doesn't drown. Perhaps other factors (other than moral worth) make such reactions appropriate...

### *Nagel's Diagnosis*

"We are unable to view ourselves simply as portions of the world, and from inside we have a rough idea of the boundary between what is us and what is not, what we do and what happens to

us, what is our personality and what is an accidental handicap. We apply the same essentially internal conception of the self to others. ....

“It is this internal view that we extend to others in moral judgment – when we judge *them* rather than their desirability or utility. We extend to others the refusal to limit ourselves to external evaluation, and we accord to them selves like our own.” (p. 451)

Moral attitudes:

- About ourselves: pride, shame, guilt, remorse
- About others: admiration, contempt, indignation, disappointment

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