Introduction

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Luck seems to be everywhere. It is a matter of luck who your neighbors are (or will be); it is pure luck that just as you finish your Ph.D. in philosophy, a new university is founded and you are invited to lecture there; it is (bad) luck that your life is ruined by a drunken driver who hits your son. To be sure, one could go on with this, giving more and more examples of luck in different areas and different dimensions of human existence. This widespread and profound effect of luck on human life hangs over us like a threat, generating the feeling that we have no real control over our lives. It undermines our sense of security and stability, promoting a sense of uncertainty with regard to our projects, relationships and aims. It makes our lives seem weak and fragile, always at the mercy of luck.¹

However, there is at least one area where luck seems to be lacking or irrelevant, that is, the area of morality. The idea of one’s moral status being subject to luck seems almost unintelligible to most of us, and the expression moral luck seems to be an impossible juxtaposition of two altogether different concepts. No doubt this is one of the reasons for our subject being so attractive and intriguing. As Margaret Coyne [Walker] puts it: “The very idea of ‘moral luck’ cannot fail to engage our interest, if only because some of us are astonished at the very idea” (1985, p. 319). While one can be lucky in one’s business, in one’s married life, and in one’s health, one cannot, so it is commonly assumed, be subject to luck as far as one’s moral worth is concerned.

This deeply rooted assumption of our moral thinking was attacked in 1976 by two leading figures in contemporary moral philosophy, Bernard Williams and Thomas Nagel.² Both of them
challenged the alleged immunity of morality to luck, seeking to show that luck threatens morality no less than it threatens so many other dimensions of human life. They argued for the existence of what they called moral luck, thereby endowing philosophy with a new concept and a wide field of problems. These new ideas have aroused great interest and have invited numerous responses among philosophers, some of which are included in this book.

The fact that luck threatens our moral concepts does not imply that it threatens all of them equally. Axiological concepts, such as 'good' and 'bad', 'admirable,' and so on, are not threatened by luck in the same way as are the concepts of responsibility and justification. This point is made very clearly in Judith Thomson's paper. If David is arrogant, a bully, a coward, and full of envy, then, as Thomson puts it (p. 208), it would be crazy to think that, because his having these features is (supposedly) a matter of luck, he is, therefore, not a bad person. (If he is not, who is?) However, there seems to be a difference with regard to a different family of moral notions, including those of responsibility, blame, and others. We would usually withdraw our ascription of blame to somebody if we found out that the event for which we thought the person blameworthy was beyond his or her control and was only a matter of luck. Thus, the debate around moral luck turns mainly around the question of whether and to what extent our moral notions of responsibility, justification, blame, and so forth, are subject to luck. If, indeed, they are, then very serious reflection over our moral concepts and our conception of morality is required. Williams seems to be right in arguing that "the involvement of morality with luck is not something that can simply be accepted without calling our moral conceptions into question."

Though Williams rejects the immunity of morality to luck, he explores the attraction of this idea very clearly. "Such a conception," he says, "has an ultimate form of justice at its heart... it offers an inducement, a solace to a sense of the world's unfairness" (p. 36). The nature of this justice is not fully explicated by Williams, but it would seem that immunity to luck might be considered just in at least two ways. First, justice as equality. If morality is immune to luck then the option of being moral is open to everybody everywhere and furthermore, it is open to everybody equally. Second, justice as desert. If morality depends on luck, then at least sometimes people are judged morally for things that are beyond their control. This seems to be unfair; one does not
deserve to be held responsible for what is beyond one's control. Hence the importance and justice of immunity to luck.

However the mere possibility of a small island of justice in a sea of unfairness is not sufficient to offer this solace to one's sense of unfairness. Something more is required, namely, that moral value possesses "some special, indeed supreme, kind of dignity or importance" (ibid). If this special value is guaranteed then morality's immunity to luck would imply a more basic and general result concerning one's own (partial) immunity to luck. One would then be in control of the most important elements that constitute one's human value. One's worth as a human being in general would not be a matter of luck. Thus, argues Williams, there is a close connection between (a) the idea of the immunity of morality to luck and (b) the idea of the supreme value of morality—both of which are rejected by Williams.

The desire to make human life immune to luck is not new, as Williams rightly mentions (p. 35). In its ancient form the desire is expressed in an attempt to make one's happiness and perfection depend as much as possible on oneself and as little as possible on factors beyond one's control. Though one cannot make oneself immune to all diseases and physical pain, nor to all the annoyances and disappointments caused by friends and family, one can view these different kinds of misfortune with indifference, and seek one's happiness within one's internal world. The more self-sufficient one is, the more free from luck one is. The ancient concept of immunity to luck also presupposes the preceding ideas (a and b), mutatis mutandis. It presupposes that a certain kind of human activity (usually the contemplative) is immune to luck and also that this kind of activity is of a supreme value. The most famous classical doctrines that preached this idea were those of the Cynics, the Epicureans, and the Stoics. However it is also to be found in many other sources of Greek philosophy, such as Plato and Aristotle, as Martha Nussbaum (1986) nicely shows.

Nussbaum's thesis is that Plato, in most of his dialogues, tends to make the good life immune to luck, particularly through the ideal of the contemplative life, while Aristotle in most of his writings suggests an ideal of a more mixed life that, as such, is much more vulnerable to luck. According to Aristotle, though attaining aretē is, to a large extent, under one's control, this is not the case with eudaimonia. Whether one has a successful and a flourishing life depends on all kinds of luck. Aristotle's view is analyzed by Nussbaum in the extracts from her book included here.
The attractiveness of the idea that the good life should be immune to luck is evident. What is less evident is why anybody should seek to reject this immunity or narrow it and the reason for this is again explored very well by Nussbaum.\textsuperscript{10} Making life immune to luck means eliminating from a good life those ingredients that to some extent are affected by luck, such as physical health, social recognition, friends, and family. Because these ingredients are essential to humanity, any human life lacking them will be, or tend to be, poorer and duller. Therefore, one has to choose between a life open to many kinds of values and experiences, but more vulnerable to luck, and a life immune to luck, but focusing only on one kind of activity (usually contemplative) and neglecting other kinds of activities that would make life richer, more interesting, and more attractive.\textsuperscript{11}

Ideas a and b are emphasized by Kant and, consequently, the objection to moral luck is usually regarded as a Kantian concept.\textsuperscript{12} Kant's view on this is expressed well in the famous opening passage of the \textit{Grundlegung}, where he praises the supreme value of "the good will," which is independent of all the contingencies of the world.\textsuperscript{13}

Now because ideas a and b are essential to Kantian morality, and because our fundamental moral conception is Kantian,\textsuperscript{14} it follows that acceptance of moral luck "cannot leave the concept of morality where it was" (Williams, p. 54). Morality contingent on luck would be ultimately different from morality immune to luck. Hence, eventually, the acceptance of the possibility of moral luck would have to be accompanied by a new approach to morality in general.

This last point is recognized very clearly by Williams, who welcomes it. A major philosophical aim in Williams's work in the last twenty years has been to explicate what he takes to be the mistakes and the weaknesses of common (Kantian) morality. Central to his view is an objection to the notion of a moral theory, at least in the modern meaning of this concept. Williams believes that the modern approach to morality is narrow and distorted, and therefore, we should abandon it and return to the Greek approach, which asked the right questions and pointed in the right direction for answers.\textsuperscript{15} Thus, from Williams's point of view, rejecting the idea that morality is immune to luck is not only intrinsically interesting and important, but is another way of expressing the many defects of modern morality.
Introduction

II

The fact that one’s motives, intentions and personality are influenced by luck is taken by Williams to be a bitter truth. This is what he calls constitutive luck. However, Williams does not elaborate on this kind of luck, which he seems to regard as quite obvious. Nor does he concentrate on other kinds of luck (to be explicated by Nagel) that concern judgment of other agents. Rather, Williams’s main interest is in the influence luck may have on “the agent’s reflective assessment of his own actions” (p. 36); that is, the agent’s ability to justify rationally his or her own decisions and actions. It is very important to bear this point in mind when reading Williams’s chapter. This is a salient difference between Williams’s discussion on moral luck and that of Nagel and other writers. Whereas the latter tend to concentrate on questions concerning moral responsibility viewed from an ‘objective’ point of view, that is, viewed by a spectator judging another agent from the outside, Williams is concerned with judgments made, so to speak, from the inside, by an agent who reflectively wishes to assess his or her own actions.

Williams, then, wishes to show that rational justification of oneself depends on luck. An example is put forward to demonstrate this point, the story of Gauguin. Gauguin, a creative artist, abandoned his wife and children to live a life in which, so he supposed, he could pursue his art. He believed that only by going alone to Tahiti, turning away from his obligations to his family, could he realize his gifts as a painter. Now, according to Williams, whether this choice can be justified depends primarily on Gauguin’s success. If he failed, it would become clear that he had no basis for thinking that he was justified in acting as he did. But, argues Williams, “whether he will succeed cannot, in the nature of the case, be foreseen” (p. 38). Therefore, at the time of the choice, Gauguin had to rely on factors that were beyond his control. Obviously one’s will, strong as it might be, is not sufficient to make one a great artist. Much more is needed, in particular talent and inspiration. Hence, justification of Gauguin’s decision depends on factors that are a matter of luck.

However not all kinds of luck are equally relevant to the justification of Gauguin’s decision. Williams distinguishes two different kinds of luck: luck intrinsic to the project and luck extrinsic to it. Gauguin’s success in becoming a great painter is a
matter of intrinsic luck; his injury in a traffic accident on the way to Tahiti is a matter of (bad) extrinsic luck. Though both kinds of luck are necessary for success and hence for justification, only the former, argues Williams, relates to unjustification. What would prove him wrong and unjustified in his project would not just be that the project failed (as a result of some extrinsic cause) but that he failed. Once again, it should be kept in mind that Williams’s main concern is “the agent’s reflective assessment of his own actions.” While extrinsic failure does not cause the agent to see his or her decision as unjustified, intrinsic failure does.

A retrospective acknowledgment of an unjustified choice expresses itself in a special species of regret that is called by Williams agent-regret. Agent-regret can be sensed by a person only toward his or her own past actions, and it has a particular kind of expression, that is, a desire to make some sort of reparation. Williams emphasizes that the sentiment of agent-regret is not restricted to voluntary actions. A lorry driver who, through no fault of his, runs over a child, will feel a different sense of regret than that felt by any spectator; he will feel agent-regret and will feel a pressing need to make some reparation or compensation.

Williams’s account of agent-regret is not supposed to be merely a descriptive or a conceptual one, but a normative one too. That is to say, people not only feel what Williams calls agent-regret but they ought to have these feelings, in the sense that is would be irrational of them not to experience them. Williams is very strict on this point, arguing that “it would be a kind of insanity [!] never to experience sentiments of this kind towards anyone, and it would be an insane concept of rationality which insisted that a rational person never would.” This alleged “insanity” is connected with the false assumption, “that we might . . . entirely detach ourselves from the unintentional aspects of our actions . . . and yet still retain our identity and character as agents” (p. 44). As one’s personal identity is constituted by the involuntary aspects of one’s behavior too, one cannot detach oneself from these aspects, without hurting severely (if not destroying altogether) one’s identity and character as an agent. “[T]he idea of the voluntary,” argues Williams in chapter 14, “is essentially superficial” (p. 253).

An interesting and quite common case of involuntary action relevant to our matter is the case of moral dilemmas. In these sit-
uations, one must choose between two evils and, in this sense, one is not acting voluntarily. Nevertheless an agent faced with these choices will feel, and according to Williams, should feel, (agent-) regret, and a desire to make up in some way for the wrong action he or she committed.\textsuperscript{23}

This brings us back to the case of Gauguin. Gauguin’s success lies beyond his control, hence, whether or not he was justified is a matter of luck. If he had bad intrinsic luck and he failed he would be unjustified and sense feelings of agent-regret about his wrong decision. If he had bad extrinsic luck, then though he would regret the failure of the project, the regret would not take the particular form of agent-regret and would not be much different from the regret experienced by a spectator.

Central to Williams’s argument is his contention that Gauguin’s justification, if there is to be one, is not available to him at the time of the choice, in advance of knowing whether it would come out right. That is, his justification is essentially retrospective.\textsuperscript{24} The reason for this necessarily retrospective perspective is not only the trivial fact that Gauguin’s choice, as with many other human choices, is made under the conditions of uncertainty that result from limited human knowledge; it has a much deeper reason. The later Gauguin is, to some extent, a different person, a person who is the product of his earlier choices. That is, Gauguin’s standpoint after his success in Tahiti differs from his standpoint at the time of the choice not only formally, in the direction, so to speak, of the perspective (retrospective or prospective) but also substantially; he is now a different man.

This, of course, is not the case in all choices. However some choices, such as Gauguin’s, are such that their outcome is substantial in such a way that it “conditions the agent’s sense of what is significant in his life and hence his standpoint of retrospective assessment” (p. 50). This explains again the importance of the distinction between intrinsic and extrinsic luck: “With an intrinsic failure, the project which generated the decision is revealed as an empty thing, incapable of grounding the agent’s life. With extrinsic failure, it is not so revealed, and while he must acknowledge that it has failed, nevertheless it has not been discredited, and may, perhaps in the form of some new aspiration, contribute to making sense of what is left” (ibid.).

So, according to Williams, one’s reflective justification is a matter of luck. But why moral luck? Williams argues that “even if Gauguin can be ultimately justified, that need not provide him
with any way of justifying himself to others, at least to all others” (p. 38). But if that is so, it would be natural to raise the objection that this kind of luck has nothing to do with morality. Moral judgments are universal and objective, at least in the sense that if action $a$ is right for me, it is right for anybody in relevantly similar circumstances; and if I am morally justified in doing $a$, this is a justification from any (moral) point of view. Therefore, it might be argued, “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” (Nagel, p. 70, n. 3).

In “Moral Luck,” Williams offers two answers to this objection, neither of which is very convincing (pp. 51–4). However, irrespective of the validity of these answers, the very question we are discussing, namely, whether Gauguin’s case was one of moral luck (as opposed to nonmoral luck), seems misplaced from Williams’s point of view. The question presupposes a distinction between the moral and the nonmoral, that is, between questions, evaluations and judgments that reside within the domain of morality and those that reside without. This distinction is essential to modern ethics, yet it is rejected by Williams, as a mistaken narrowing of the area of ethics.

Now it is important to notice that one of Williams’s reasons for rejecting this distinction is the problem of moral luck itself. A basic motive for using the concept of the moral, argues Williams, is “the motive of establishing a dimension of decision and assessment which can hope to transcend luck” (p. 53). However, because the establishment of such a dimension has failed and luck seems to affect morality very significantly (constitutive luck, the relation of one’s decisions to morality, luck in what one will turn out to have done), this basic motive, in effect, is seriously undermined.

All this is quite confusing. Indeed, in his “Postscript,” Williams admits that his formulations in “Moral Luck” regarding these questions were somewhat misleading and in need of clarification. This clarification is Williams’s main object in the Postscript, written especially for this book. Williams contends that the most important source of misunderstanding in “Moral Luck” was that he raised three different issues at once: “One was the question . . . how important is morality in the narrow sense as contrasted with a wider sense of the ethical? The second question concerns the importance, for a given agent and for our view of
certain agents, of the ethical even in the wider sense. . . . The third question raised in the article is that of retrospective justification, and this is the widest, because it can arise beyond the ethical, in any application of practical rationality" (pp. 255–56).

The first question is dealt with through the example of the lorry driver. We have a strong temptation to say that though the driver might feel bad about what he did, this reaction is not a moral one nor, similarly, is the blame he suffers a moral blame. However, argues Williams, invoking the category of the 'moral' to make a distinction between different sorts of reactions “achieves absolutely nothing” (chapter 14, p. 254). Also, as mentioned previously, one of the characteristics of morality in the narrow sense is its pretension to be immune to luck, whereas, in fact, such immunity is an illusion. Hence, Williams's answer to the first question quoted earlier would be very simple: Morality in the narrow sense is not important “and we would be better off without it” (1985, p. 174).

The second question is illustrated through the story of Gauguin, a story that invites reflection on the placing of ethical concerns—even in the wider sense—among other values and, more broadly, among other human needs and projects. Granted that Gauguin offended a certain conception of the ethical in abandoning his family, it is still far from certain that we would like to condemn him for that when taking into account his great success as a painter. Gauguin encourages us to put a limit to the “imperialist” character of ethical concerns, which seek to invade the whole practical realm.

The third question, that of retrospective justification, is also exemplified in the case of Gauguin, who could not justify his decision in advance but only retrospectively. This question arises in any application of practical rationality, not just in ethics: Is rational self-criticism possible only to the extent that one might have avoided the outcome by taking thought or greater care in advance, or perhaps it is possible even when the unfortunate results could not have been prevented by any greater rationality? In other words, is self-criticism concerning the undesirable results of one’s decision rational even when the results are a matter of luck? To this question Williams answers in the affirmative, and he believes the opposite view to be “very importantly wrong” (chapter 14, p. 256).

Thus the unclear distinction between these three questions in “Moral Luck” has generated some misunderstanding. However,
argues Williams toward the end of chapter 14, the questions are, after all, interrelated, and in more than one way (pp. 256–57). This interrelation is again connected to the notion of luck. For instance, the idea of rational agency described previously “is itself formed by aspirations shared by morality, to escape as far as possible from contingency” (ibid., p. 257). That is, morality’s aspiration for immunity to luck has inspired a similar aspiration in the domain of rational agency—both of which must be rejected.

Williams’s “Postscript” is important, among other reasons, for it emphasizes how deeply the problem of luck penetrates into the practical realm; in morality, more broadly, in ethics, and, more broadly still, in rational agency—and in the interrelations between these three areas. Understanding the unavoidability of moral luck, is therefore, according to Williams, an essential step in gaining a better understanding of the entire practical domain.

III

Nagel’s view on moral luck is at once more conservative and more radical than that of Williams. It is conservative in its acceptance of at least two ideas of modern morality, which are rejected by Williams: (a) that there cannot be any moral justification that is not a justification of oneself to others, and (b) that one cannot be held morally responsible and blameworthy for results that occurred without one having contributed anything to their occurrence. Accepting (a) means that moral justification does not depend on one’s subjective self-assessment, and it has a more objective nature. Hence, as opposed to Williams, Nagel argues that changes in the agent’s perspective as a result of earlier choices would be irrelevant for moral justification, which is “objective and timeless” (Nagel, p. 63). Accepting (b) means assigning more importance to the voluntary aspect of one’s actions in their moral evaluation.

In accordance with his acceptance of (a), Nagel objects, as we have already mentioned, to Williams’s account of Gauguin’s case as an example of moral luck. Similarly, in accordance with his acceptance of (b), he argues, contra Williams, that the case of a truck driver who entirely without fault runs over a child (Williams, p. 43), is not a case of moral bad luck (Nagel, p. 61).

So much for the conservative aspect of Nagel’s account. He is also more radical in that he shows the wide extent to which luck affects morality with its various implications. According to
Nagel, luck affects morality in four ways (p. 60). The first way is constitutive luck, that is, "the kind of person you are, where this is not a question of what you deliberately do, but of your inclinations, capacities, and temperament." Because one's capacities, inclinations, and so forth depend, at least partially, on factors beyond one's control, (e.g., heredity, environment), so, to that extent, the kind of person one is is a matter of luck.\textsuperscript{31} The second way is circumstantial luck; that is, "the kind of problems and situations one faces." The other two ways "have to do with the causes and effects of actions." One of them, which I shall call causal luck, is concerned with the way antecedent circumstances determine "the stripped-down acts of the will itself" (p. 66). The other, which I shall call resultant luck,\textsuperscript{32} is luck "in the way one's actions and projects turn out."

Interesting logical interrelations exist among these four sorts of luck. I shall not endeavor to explore all of them here. However it is important to note the independence of each of them, an independence that might be shown in the following way. Even if the acts of the will itself are not determined by antecedent causes, it is still possible that the kind of person one is is so determined. And, even if it is not, one might still be vulnerable to luck with regard to the circumstances in which one finds oneself. And, finally, even if this sort of luck is overcome, one's moral status might still be at the mercy of luck due to the fact that the actual results of one's actions are not entirely within one's control. The fact that the different kinds of luck are independent of each other makes life more difficult for critics of moral luck. They have to show that each and all of these kinds of luck have no effect on morality.

This extensive, and on the face of it, inescapable entry of luck into the realm of morality leads Nagel to believe that we face a real paradox here (p. 66). On the one hand, we believe that one can be held responsible only for what is under one's control and thus not a matter of luck, whereas on the other hand, we have to recognize the bitter truth that luck is everywhere, so that "eventually nothing remains to be ascribed to the responsible self" (p. 68).

Note that the freedom of the will is strictly denied only by one sort of luck; namely, causal luck. This means that the problem of moral luck is much wider than the well-known and well-discussed problem of the relation between determinism and moral responsibility. Indeed, neither Williams nor Nagel pre-
sumes to make any substantial contribution to understanding the relationship between these two concepts, apart from classifying it as another case of moral luck. Rather, their contribution lies in their analysis of resultant (Williams and Nagel) and circumstantial (Nagel) luck. These two sorts of luck have also received more attention in the debate around moral luck. Hence, I too shall concentrate in what follows on these two types of luck. The next section will be devoted to a discussion of resultant luck, and Section V to circumstantial luck.

Before we turn to these discussions, however, I would like to make one comment regarding the idea of constitutive luck. There seems to be something odd about this idea. Suppose somebody says, “Oh, how lucky I am to have such parents!” The natural response to this seems to be, “Well, had you had different parents, you wouldn’t have been the same person.” That is, luck necessarily presupposes the existence of some subject who is affected by it. Because luck in the very constitution of an agent cannot be luck for anyone, the idea of one being lucky in the kind of person one is sounds incoherent. This criticism of the notion of constitutive luck is pointed out briefly by Rescher (pp. 156–57), who argues that the concept of factors being within or without one’s control does not apply to those such as personality and character. Though these factors might fail to be within one’s control, they are not things that lie outside oneself either, but are part of what constitutes one’s self as such. Therefore, concludes Rescher, the idea of constitutive luck involves a category mistake.

A different objection to the notion of constitutive luck can be developed on the basis of Harry Frankfurt’s ideas regarding responsibility and character. According to Frankfurt, the responsibility of a person for his or her character has to do, not with the question of whether its existence is within the person’s control, but rather “whether he has taken responsibility for his characteristics. It concerns whether the dispositions at issue . . . are characteristics with which he identifies and which he thus by his own will incorporates into himself as constitutive of what he is” (1988, pp. 171–172). So, on the one hand, though the existence of certain characteristics is not within the agent’s control and is thus a matter of luck, this has no bearing on the agent’s moral responsibility, which applies only to free acts. On the other hand, an agent can take responsibility for (some of) these characteristics by identifying with them, and as this is done freely, it raises no problem of luck. In other words, there is no problem of consti-
tutive luck because it is the person who constitutes himself or herself, by identifying with certain of his desires.

IV

Resultant luck is luck, good or bad, in the way things turn out. It seems that immunity from this kind of luck was Kant's main object in his famous opening passages of the *Grundlegung*. Kant says that the value of the good will is not conditioned by any of the world’s contingencies: therefore.

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 will, 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. (Kant 1964, section 1, paragraph 3; quoted by Nagel, p. 57).^36^

It is this irrelevance of actual results to the good will’s sparkling "like a jewel" that is challenged by Nagel.\(^37\)

Nagel illustrates the relevance of the actual results of one’s actions to moral assessment in two types of cases: (a) cases of negligence, (b) cases of decisions under uncertainty. I shall deal with them in turn.

Consider two similar cases, in which one is negligent in not putting out a fire one lights. In one case the fire is fortunately put out by a rainfall, and thus nothing regrettable happens, whereas in the other a nearby house is set on fire and a child is burned to death. It is obvious that the outcome in both these cases is beyond one’s control, in the sense that it was not within one’s control to make it the case that a rainfall occurred or did not occur, or that a child was or was not in the house nearby. In this sense, the outcome was a matter of (good or bad) luck.\(^38\) Hence, because, ex hypothesi, the two agents were equally negligent, it may seem that both are guilty and responsible to the same degree. But despite these facts, we do judge the cases differently. We blame the second negligent one far more seriously than the first and view
such behavior as much worse from a moral point of view. This is the way one assesses one’s own actions too. While the lucky negligent one would feel at most some slight sense of regret, the unfortunate negligent one will reproach himself or herself strongly for the terrible result of such actions.

The relevance of lucky results to the assessment of one’s actions is a basic assumption in legal systems. For instance, there is a great difference between the penalty for attempted murder and that for actual murder, though it is often a matter of pure luck whether the attempt succeeds or not. The same with negligence. A driver who drives like a lunatic but does no harm will suffer a much smaller penalty than if somebody had been killed as a result of such driving. Though legal reasoning is sometimes different from moral reasoning, it seems that here the same assumption is presupposed; namely, that one is responsible and blameworthy for the actual results of one’s actions.

Hence, moral evaluation of actions seems to involve two independent factors. First, in line with Kant, the degree of one’s good or ill will. The stronger the will, the more one is held accountable for its results. While some trivial negligence is only a pale expression of ill will, a deliberate murder is a full expression of it and therefore is much more worthy of blame and penalty. Second, contrary to Kant, and here is where luck comes in, the outcome of one’s actions. The worse the outcome, the worse the moral evaluation of the agent. Because the outcome of one’s actions is a matter of luck, this is a clear case of moral luck.

Another sort of case where moral assessment depends on the outcome is the case of a decision made under uncertainty. In this kind of situation, people decide to act in a certain way on the assumption, or in the hope, that their deeds will have a certain outcome. This outcome is essential for their justification yet it cannot be foreseen with certainty. Hence in making these decisions one is taking a moral risk, and only history will show whether one was justified in taking it.

Conspicuous examples of such decisions are some momentous political choices, well illustrated by Nagel. If one decides to start a revolution against a tyrannical regime, one is taking a terrible moral risk. If one succeeds, one will be a moral hero and savior; if, unfortunately, one fails, one will be responsible for the deaths of many innocent people.

The natural objection to this sort of case is that we should distinguish the making of a reasonable decision, which is under
one's control, and its unforeseeable results, which are indeed beyond one's control. That is, if one takes a decision in the light of the best information available to one at the time of decision making, one should not be held responsible for the outcome if it turns out to be different from what one could foresee. If the outcome is bad, this is obviously regrettable, but still one is not blameworthy for it.

Nagel is well aware of this objection (pp. 62–3). Surely, he admits, one's decision could be assessed from the point of view of what one could know at the time of the decision, but not only from that point of view. This, argues Nagel, is evident from the fact that one can say in advance how the moral verdict will depend on the results. At the time of the decision one can make an hypothetical judgment to the effect that if things turn out in a certain way, one will be praiseworthy, and if they turn out in a different way, one is blameworthy. Such a judgment is possible even when one's decision is absolutely reasonable. Therefore, reasonableness in decision making is not sufficient to guarantee moral justification. We must always await the actual results.

Cases of a decision under uncertainty are different from cases of negligence in an important respect. In the former, the agent might have behaved absolutely reasonably and even so be held responsible for the outcome of the decision. In the latter cases, the agent is morally blameworthy independent of the outcome (just because of negligence), with the outcome determining the degree of blameworthiness and, of course, what that agent is responsible for. Nonetheless, both these sorts of cases have an important feature in common: in both of them the agent is judged by the actual results of the actions and not just by the agent's good or bad will. Another common feature is the fact that in all of these cases the agent contributes in some way to the results, either by negligence or by a deliberate (lucky or unlucky) decision. According to Nagel, this feature is essential to moral luck, as I explained earlier.

The account given by Nagel of the relevance of actual results for moral assessment, as well as that given by Williams, seems to suit our moral intuitions and our moral feelings very well. Indeed, we do seem to regard results as playing a crucial role in moral justification. This, of course, does not prove that these intuitions are appropriate and rational. However any denial of this rationality would have to be supported by weighty reasons. Thus, the best way for the critic of moral luck to take would be to try to
show that, on the one hand, contingent results do not determine moral worth, and yet, on the other, our common intuitions and feelings are not entirely irrational. This method will be relevant to the assessment of circumstantial luck too.

Let us focus our attention on cases of negligence, particularly on the example of the lorry driver who, as a result of his careless driving, kills a child who happens to jump into the road. Is this driver indeed morally worse than another driver who was negligent in the same way, but was lucky and did not hurt anybody?

Most critics believe that, when we think about it, the answer to this question seems to be negative. That is, on reflection, the moral difference between the two drivers seems to disappear or, at least, to weaken significantly. Therefore the fact that one of the drivers caused a death where the other did not, "says nothing morally interesting about them" (Thomson, p. 204). The justification for this equal judgment lies in our conception of morality as concerned with action guiding and fairness (cf. Jensen, p. 135). A morality that bases a moral verdict on factors beyond human control would be unfair and unjust, its equivalent in legal systems being punishing the innocent. Such a morality would also go against its concern with action guiding, because action can be guided only by requiring one to do what one can do.

Nevertheless this does not imply that the guilt feelings of the killer-driver, as opposed to the lucky driver, are irrational—quite the contrary. Because the death of a human being is a bad and a saddening thing, it is quite reasonable that one should feel terrible if one contributes to such a result, even if it is not one's fault. This sense of diminished worth is distinguishable, as many writers rightly observe, from moral fault in the sense of deserving punishment. Hence, though the killer-driver is no more blameworthy than the lucky one, his different feelings are not irrational.

This line of argument is familiar from the recent debate on moral dilemmas. One of the central arguments put forward for the reality of such situations is the 'argument from sentiment,' which argues as follows: since the agent faced with a moral dilemma feels guilt and remorse in any course of action that is chosen, and, moreover, these feelings seem rational and appropriate, then the agent is indeed guilty, and moral dilemmas are situations where one must do wrong. To this argument, oppo-
nents of moral dilemmas reply that the agent’s guilt feelings can be fully accounted for without supposing that one is really guilty.\textsuperscript{47}

The same applies to resultant luck. Though the killer-driver is no more blameworthy than the lucky one who does not kill, his (and our) different feelings are understandable and rational. There is a valid distinction between justifying judgments of moral worth and blame and justifying the rationality of certain feelings concerning these and other moral matters.\textsuperscript{48}

Assuming that the moral discredit of our two drivers is indeed equal, does this imply that they are also equally to blame? The answer to this question depends on different notions of blame. Judith Thomson distinguishes two such notions (pp. 200–202): (1) a person P is to blame for an unwelcome event, where P caused it by some wrongful act or omission for which P had no adequate excuse;\textsuperscript{49} and (2) a person P is to greater or lesser blame for doing something, which is unwelcome, where P’s doing it is stronger or weaker reason to think P is a bad person. Now because the killer-driver caused an unwelcome state of affairs (a child’s death) by wrongful behavior (his negligent driving), he is no doubt to blame—first notion of “blame”—for it, whereas the second driver is not. However, Thomson argues, the killer-driver is not to blame—second notion of “blame”—more than the other driver: the fact that one driver was lucky not to kill somebody, whereas the other was less fortunate is no reason to think the former less bad a person than the latter.

Though this line of argument assumes that, ultimately, moral worth does not depend on factors beyond one’s control, still it might admit that luck does play a part in our moral assessment of these cases. Such a different interpretation of moral luck is suggested by Norvin Richards. According to Richards, the driver who kills is morally unfortunate because by killing he made it clear to us that he is a negligent driver and that he deserves to be treated accordingly. Though he deserved this treatment all along, he was lucky that we did not discover it until now. Some negligent drivers are even luckier: they never kill anybody or cause any harm, so no one knows that they really ought to be treated as lunatics or as potential killers. Hence, luck does not affect one’s deserts but only our knowledge of them.\textsuperscript{50} Moral bad luck is not luck in one’s moral status being hurt, but (bad) luck in one’s character becoming transparent to others.
However, it is doubtful to what extent this reinterpretation really reflects our actual apportionment of desert and blame. Jonathan Adler rightly observes in his criticism of Richards, that "legally, emotionally, and socially, the blame we attribute to the reckless driver who runs over the child is far worse than that which we attribute to the driver who doesn't have an accident but whose record indicates equal, if not greater, recklessness" (Adler 1987, p. 248). This shows that our attribution of blame does not "reflect our epistemic shortcomings," as Richards (p. 169) believes, but, rather, our belief in the importance of actual results to moral assessment. This belief might, of course, be mistaken, as Richards, Rescher, Thomson, and others assume, but it cannot be reinterpreted and preserved in a different form.

V

Circumstantial luck is luck in the kind of problems and situations one faces. The example Nagel offers for such luck is the following: "Ordinary citizens of Nazi Germany had an opportunity to behave heroically by opposing the regime, and most of them are culpable for having failed that test. But it is a test to which the citizens of other countries were not subjected, with the result that even if they, or some of them, would have behaved as badly as the Germans in like circumstances, they simply did not and therefore are not similarly culpable." Hence, Nagel concludes: "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" (p. 66).

If Nagel is right, this is indeed a clear case of moral luck. Some people were morally very lucky not to be German citizens in the 1930s. Others, less fortunate, were such citizens and had to face a momentous moral test, a test that most of them failed, with the result that they collaborated in terrible crimes. It is true that they could have just as equally passed the test. The point is that others were fortunately free from the test altogether.

It is important to notice the difference between circumstantial luck and resultant luck. In a sense, the first is logically prior to the latter. It is first a matter of luck that one happens to live in such circumstances in which one has to decide whether to do a certain action or not, and it is second a matter of luck whether one's decision has good or bad results. So one might be morally lucky in one sense and unlucky in another; one might be unlucky
to have to face a difficult moral test, one may fail the test, and yet be lucky that the results of one’s behavior turn out, in the end, to be morally desirable.

Assuming that the actual Nazis were free not to collaborate, they are surely responsible to some extent for what they did. Are potential Nazis responsible too? After all, *ex hypothesi,* only luck prevented them from being Nazi murderers.

Richards (pp. 175–77) and Zimmerman (pp. 226–29), as well as Rescher (pp. 154–55), take this challenge and answer the question in the positive. According to Richards, because one’s deserts are determined mainly by one’s character and because the noncollaborator’s character is, *ex hypothesi,* no worse than that of the actual collaborator, therefore, the would-be collaborator deserves blame too. Richards goes even further and argues that the noncollaborator might deserve more blame, because his or her bad traits of character have a smaller chance to change: “[A] trait whose enacting is not spectacularly painful for others stands a greater chance to persist.” Hence, quite surprisingly, the noncollaborator “is likely to live an entire life in which he takes the pleasures of authority too seriously and the pain of certain others too lightly. This will be a stunted life, as well as a damaging one” (p. 177).

Zimmerman ascribes blame to the noncollaborator not only for his corrupt character but also for what he would have done had he been in the same situation as the collaborator (see principle 6 on p. 225). This naturally raises the question, what is this person to blame for? Surely not for collaboration, nor for a decision to collaborate, which he, of course, never made. Zimmerman admits he is not sure of the answer to this question (p. 228). One possibility he mentions is that the noncollaborator is to blame but not to blame for anything. This does not seem very promising, and Zimmerman tries another answer; that is “he is to blame for being such that he would have made the decision to collaborate had he been in a situation that he believed to be s (where s is the situation that the collaborator believed himself to be in)” (ibid.).

This explanation is based on a counterfactual, the truth of which is not easy to determine. Nevertheless, Zimmerman believes this determination is not impossible: “one can imagine setting up controlled laboratory conditions in order to test the noncollaborator’s propensity to collaborate” (p. 229). However as these laboratory conditions are not often set up, we cannot usually make judgments with any reasonable certainty. Again this
reflects our epistemic shortcomings, as Richards puts it (p. 169), not the real deserts of the agents being judged.

Note how far Zimmerman is prepared to go in his attempt to make morality immune to luck. Every person is held responsible not only for what he or she does but also, it appears, for what he or she would have done, had circumstances been different. The difficulty in this approach is that too many people are held responsible and blameworthy for too many things, with the result that blame seems to lose much of its meaning and effectiveness. Furthermore, this seems to imply an “unacceptable mitigation of our present apportionment of desert” (Adler 1987, p. 249). If thousands of people would have chosen to be Nazis had they lived in Germany in the 1930s and they are blameworthy for this fact, what is so special about the actual Nazi? And why should we think he or she deserves to be punished, indeed very severely punished, whereas the would-be Nazi does not? If our special condemnation of the actual Nazi is to be kept, it seems that some degree of circumstantial luck is unavoidable.

Once again, the critic of moral luck would answer that our special condemnation of the actual Nazi reflects nothing more than our limited and inadequate knowledge. In the eyes of God, the actual and the would-be murderers bear the same blame, and He would have them thrown into the same circle of hell (Thomson, p. 207). What proponents of moral luck need is an example of circumstances where moral luck cannot be dismissed as an expression of our epistemic shortcomings, for it expresses something in the very nature of the situation. This seems to be the case in moral dilemmas.

Moral dilemmas, says Nagel (p. 70, n. 9), are unusual examples of circumstantial moral luck. These are situations where one is faced, through no fault of one’s own, with a choice between two evils, in such a way that one cannot avoid doing wrong. These situations are different in an important respect from the situation of the Nazi. While the Nazi could have chosen not to collaborate and not to do wrong, this is not the case in moral dilemmas. In these situations the agent has to do wrong and there is no way of escape. Because one’s being trapped in these circumstances is a matter of (bad) luck and because one is forced by these circumstances to behave wrongly, this is a clear case of luck influencing morality. This case is stronger than the standard case of circumstantial (bad) luck, in which one faces a very difficult moral test. It is stronger because in the standard case one