

A LOOK INTO MORAL LUCK

An Undergraduate Research Scholars Thesis

by

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Submitted to the LAUNCH: Undergraduate Research office at
Texas A&M University
in partial fulfillment of requirements for the designation as an

UNDERGRADUATE RESEARCH SCHOLAR

Approved by
Faculty Research Advisor:

Dr. Linda Radzik

May 2021

Major:

Philosophy

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ABSTRACT

A Look into Moral Luck

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The term “moral luck” is used to describe any instance of where a moral agent is appropriately praised or blamed for an event or its outcomes despite having no control over the preceding causes of either the event or its consequences. The possibility of moral luck would be rejected by thinkers such as Immanuel Kant. According to Kant, to be a good person all that is required is that one have a “good will.” Per the Kantian moral framework, “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” (Kant 1785, pg. 11). Simply put, regardless of the consequence of any action, if a moral agent acts in a way that comes from a good intention, they will be morally vindicated. There is no such thing as moral luck because one’s blameworthiness or praiseworthiness will always be in one’s control.

Influential political philosopher and author of the 1979 publication titled “Moral Luck,” Thomas Nagel pushes back against the idea that moral luck cannot exist. His reason for believing this comes from our complicated reactions to what is known as the “control principle,” which posits that moral agents cannot be held accountable for events whose antecedent factors are

outside of their control. Nagel believes that when we apply the control principle to our understanding of how ethics works on a human level, we will always see a paradox arise. Per Nagel it seems to be the case that everything arises from factors, both “antecedent and posterior,” human beings can just simply never have control over. This lack of control allows us to make our moral reactions to people’s actions only mere “aesthetic” claims, not deeper claims of moral blameworthiness or praise.

Philosopher and author of *Justice, Luck, and Knowledge* Susan Hurley delves deeper into the question of moral luck by connecting to debates on determinism. She identifies the role responsibility must play in identifying and explaining moral luck and explains why Nagel’s defense of moral luck is accurate, but not entirely so, due to what she calls conceptions of thick luck and thin luck.

The topic of moral luck forces us to ask several questions, with the most pertinent being whether the actions we perform that turn out to be morally permissible or morally wrong are truly in our control. In this paper I aim to argue against skepticism about moral luck by putting together the conversation on moral luck from the beginning, starting with Thomas Nagel and finishing with Susan Hurley. I will show how Hurley’s account of moral luck aims to make significant improvements to how Nagel originally presents the topic.

DEDICATION

To *Zach*,

They say friendship is a gift. Yours was a blessing.

Thank you.

ACKNOWLEDGEMENTS

Contributors

I would like to thank my faculty advisor, Dr. Radzik, for her guidance and support throughout the course of this research.

Thanks also go to my friends and colleagues and the department faculty and staff for making my time at Texas A&M University a great experience.

Finally, thanks to my family for their encouragement, patience and love.

The materials analyzed for *A Look into Moral Luck* were provided by my undergraduate faculty advisor, Dr. Radzik. The analyses depicted in *A Look into Moral Luck* were conducted in part by the Department of Philosophy and these data are unpublished.

All other work conducted for the thesis was completed by the student independently.

Funding Sources

No funding was necessary for the completion of this project.

INTRODUCTION

In his 1979 paper titled “Moral Luck,” Bernard Williams writes, “what is not in the domain of the self is not in its control and so is subject to luck and the contingent enemies of tranquility” (Williams 1979, 20). Moral luck describes a problem in how we assign moral blame or praise. People are viewed as moral agents, yet the more their actions are analyzed the more we realize how little their “true self” has control over anything they are involved in.

The existence of moral luck very clearly poses a problem in how we think of others in terms of their moral culpability. Let me provide an example. Let’s imagine a situation where someone commits the crime of arson by setting several empty homes on fire. We would typically assign great blame to the arsonist for purposefully and knowingly causing damage to the property of others. When we blame this person for their actions, we are essentially saying that this moral agent (that is the arsonist) has a causal responsibility for the bad effect that took place. Because they are causally responsible, it follows that they morally responsible as well. Most would intuitively agree that this line of thinking is correct and that the arsonist ought to be punished for their responsibility for the fires caused. It is only when we start looking further back in time and asking how the arsonist came to make the decisions, that we notice how the logic of responsibility falls apart in the face of our moral judgements.

We can first deconstruct this scenario using one of Thomas Nagel’s four forms of moral luck, causal luck. Nagel describes causal luck as being “luck in how one is determined by antecedent circumstances” (Nagel 28). This sort of moral luck can be categorized as the classic problem of free will and determinism. The reason the debate on free will vs determinism is significant is because of the role that freedom plays in how think of and define moral

responsibility. For a moral agent to be fairly blamed or praised they must first be able to have the freedom to pick and choose actions according to their will. If we were to lose this freedom to choose then it would imply that all our actions are not products of our choosing, but rather the result of several different and continuously occurring effects. If we are not the ones who ultimately decide what we do, then the idea of responsibility fades away and we are left to live with the effects of causes we could not see over. Here in lies the causal luck of the arsonist scenario. If the arsonist's choice to set fire to the building was fully determined by previous events outside of the arsonist's control, then it must follow that they could not have chosen otherwise, making them not responsible for the outcomes of their pyromania. This lack of responsibility leads us to one more question, how can we reasonably blame the arsonist if their moral state of being is the result of infinite causes none chosen by them? The existence of a causal luck forces us to strip down our idea of responsibility until we find that at its core it is just an expression to tie a subject to an object. Simply put, if we remove all moral connotations from responsibility, we would be left with an idea that only serves as a way of describing two separate events are casually tied. The arsonist is not blameworthy or praiseworthy, their person is just casually linked to this outcome.

Related to the idea of determinism, Hurley in her broader discussion about responsibility uses the phrase the regressive requirement for responsibility. Per Hurley, "The regression requirement for responsibility holds that to be responsible for X you must also be responsible for its causes. It applies recursively, giving a rise to a regress" (Hurley 2003, 20). We can think of this term like how Nagel uses his control principle. Because of its close relationship with determinism, the idea of a regressive requirement for responsibility, or thinking of responsibility through the logic of the control principle, also can erode how we think of responsibility.

The problem that arises from the existence of moral luck in this scenario is that if we take a control principle approach, we can begin to see how this case quickly falls apart into absurdity. It is undeniable that this person knew better and was very aware of the consequences of their actions. Regardless of these facts, if we take into consideration “constitutive luck” we can begin to understand how our arsonist doesn’t seem as guilty as one might think. Nagel describes constitutive luck as luck in “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” (Nagel 1979, 28). Let’s say that we can have a deeper analysis into the psyche of the arsonist and we discover that they suffer from pyromania, a condition where one has urges to start fires.

We could say that this person was inclined from the beginning to start random fires, but many people would take issue with this and claim that the pyromaniac was still free in their choice to set fires. They could have resisted their inclinations. The problem with this stance is that it fails to consider the lack of control one has over how they are born. The arsonist may seem blameworthy in terms of the relationship they have with their burnings, but we cannot reasonably blame the arsonist for how they were mentally built. One thing is for certain, no one chooses how they are “constituted” at birth. While the average individual may see refraining from setting fires as something that requires zero effort to do, the pyromaniac very well may see the same as a test of monk-like willpower solely because of their neurochemistry. We also cannot forget the circumstances that the arsonist found themselves born into. The suppression of their innate inclinations might have started at birth, and depending on those circumstances we could reasonably argue that this person might not have become an arsonist had they had access to treatment or therapy for their condition. Or lastly it could have been the case that had the arsonist been rained on the day they choose to set fires, they would have simply given up and walked

back home. In this case, we can thank nothing but the weather for the positive moral outcome in this situation. This is another factor that was completely out of the arsonist's control.

With these things in mind, it now seems almost unfair to blame the arsonist for burning down the building. This is the power of the control principle.

On the other hand, and in opposition to the control principle, we still feel like the arsonist is blameworthy nonetheless. While it's true that they had no control in how they were born, where they were born, or what their results were, we still understand that as human beings we assign a level of responsibility to one another. Intuitively, this feels right. While the arsonist may be a pyromaniac, it still is the case that they chose to set fires and that no one we can see other than the arsonist pushed them to do so.

In the next section of this paper I will focus on characterizing the topic of moral luck from the perspective of Thomas Nagel, pulling from his insights to better build a picture of why the principle of control and the broader discussion of moral luck are both much more notorious than previously thought.

1. THOMAS NAGEL

In an article titled “Moral Luck” (1979), Thomas Nagel points to a problem in how we assign moral responsibility. The foundational principle to how we assume or assign moral responsibility, per Nagel, is known as the control principle. In the words of Nagel, “The problem of moral luck develops out of the ordinary conditions of moral judgement. 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” (Nagel 1979, p. 25). One of the first of many questions Nagel makes us ask is what is the control principle and how does it tie to our understanding of moral judgements?

1.1 The Control Principle

To answer this question, we must first look to the most fundamental principle in terms of moral luck and that is the “control principle.” The control principle is a principle of responsibility that claims one can only be held responsible for events whose factors are under their control.

There are many instances where someone doesn’t seem to have complete responsibility for an action because of their lack of control over an event that led to their action. If there are cases where the factors that led to a person’s action rested outside of their means of control, then we must figure out what those factors were to appropriately assert blame or praise.

For example, let’s imagine two different assassins. Our first assassin plans on executing his victim by using a crossbow. He takes aim, fires, and strikes his target with precision resulting in a successful hit. The second assassin also decides to use a crossbow for his job. He takes aim, fires, but instead of striking his target he strikes a bird that swoops down for food midflight. The

first assassin is caught and tried for the crime of murder, which in his nation is punishable by death. The second assassin is also caught but instead gets tried for attempted murder and receives a significantly lighter prison sentence. In looking at this scenario we notice one major element that makes assessing this event problematic. That is neither assassin was truly responsible for hitting or missing their target. External factors that neither had control over are what determined their moral blameworthiness.

In the face of this problem, we have a couple of choices. Our first choice is to outright reject the control principle and its implications on morality, in favor of the counter-arguments against it. These arguments rely on the existence of a true moral order that is not dependent on any sort of luck, but instead deliberate choice. A belief like this would solve the issue of the control principle's corrosive effect on our idea of morality.

However, Nagel believes that this is not an out on the problem the control principle raises. Nagel claims, "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" (Nagel, 26).

This would imply that the control principle is not faulty in how it's applied, but rather it grows from the very foundation that we build morality from. Our moral judgements thrive off the principle of control due to its relationship to our idea of responsibility. We do not make moral judgements about things in the world that do not have control over what they effect. Control is essential to our moral judgements about moral agents, but it is this same sort of control that we when take a closer consider we realize the broader problematic implications it brings.

Our second option in attempts to tackle the problems raised by the control principle is to accept the logic of the principle and to divide the world into two categories: those things that are external and can be observed by the control principle and those things that are internal and can be dictated by our personal moral judgements. The logic of this approach for Nagel lies in the reality that most endeavors involving inquiry into how human beings gain and utilize knowledge will result in similar paradoxes like the one caused by the control principle. Nagel states, “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 claim if consistently applied” (Nagel, 27). Nagel is pointing out that most of our standards, if consistently applied, eventually turn over unsolvable paradoxes. People who follow the train of thought offered up by epistemological skepticism often entertain problems such as those raised by the control principle; however, we can very clearly see that this is no way investigate philosophical problems. Nagel would argue that the method of the skeptic is one that will never result in a sufficient answer, simply just more problems that will become apparent as we hold a metaphorical magnifying glass to them.

If one ultimately does decide to take Nagel’s advice on the topic and simply accept the control principle, they are also implying that there must be some level of luck involved in any given scenario one finds themselves in. If individuals are not responsible for the cause or effect of their actions or the conditions surrounding them, it must then be the case that there is some level of randomness or luck involved. Moral luck arises from the very real realization that the logic of the control principle is sound while trying to retain our understanding of morality. As Nagel puts it, “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 reflect on these facts without losing our grip on the judgments” (Nagel 28). However, as we will later see, moral luck does not exist in a monolithic state, but instead as something that takes on different forms depending on what situation one finds themselves in.

1.2 Four Flavors of Luck

For Nagel there are roughly four different forms luck can come in. They are constitutive luck, circumstantial luck, resultant luck, and causal luck. Each has their own implications on a moral subject, but as Nagel claims, “All of them present a common problem. They are all opposed to 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” (Nagel, 28).

The problem is that there are situations where an individual just does not seem morally culpable for something that is even a fraction outside of his control. For example, an individual that finds themselves in a situation where their country is undergoing a fascist dictatorship may be in position of bad circumstantial luck if they find themselves in the company of those who consider their people as superior to others. We could and would say that this person is morally reprehensible, but on the other hand had it been anyone else they would’ve behaved exactly the same. It just seems like because of this person’s moral circumstantial luck that they were destined to be a morally blameworthy individual.

1.2.1 Resultant Luck

Resultant luck can be defined as the luck in the events turn out or “luck in how one is determined by antecedent circumstances” (Nagel, 28). Nagel creates a scenario where there is a person who has had too much to drink and decides to go for a drive. During this drive the person accidentally swerves onto the sidewalk, but fortunately there is not anyone there to be hit. On the

other hand, there is another drunk driver who, unfortunately, does the same but there is a pedestrian walking on the sidewalk in the direct path of the truck.

We see the first truck driver as morally blameworthy for his negligence in driving drunk. While he could've hurt someone terribly from his reckless driving, by the grace of fortune, he managed to not be out at a time where pedestrians would be walking around. Through no control of his own, our first driver does not have to worry about the responsibility that comes with hitting a pedestrian.

Unlike our first driver, our second driver was unfortunate enough to have a pedestrian at the wrong place during the wrong time. Through no control of their own, the pedestrian appeared in front of their vehicle and was tragically killed. Even though the driver wished otherwise, their moral culpability in the situation has been determined by the fact that something outside of their control decided to put that pedestrian in their path causing them to commit manslaughter.

Although both drivers were drunk equally drunk and their actions equally reckless, we can see how the unlucky event of the pedestrian walking down the sidewalk completely changes the moral standing of the second drunk driver. In the first instance we just have reckless driving, a minor offense, and in the other we have a case of brutal manslaughter.

1.2.2 Circumstantial Luck

Circumstantial luck can be defined as the luck in the sort of circumstances one finds themselves in, that is, "the kind of problems and situations one faces" (Nagel, 28). For circumstantial luck, Nagel uses the example of German citizens who because of their circumstance of being in Nazi Germany became Nazis. Nagel points out these individuals had no control in the environment in which they were born. Had they been born in another country they

would have chosen different, and thus, would have been spared morally. Others had been morally spared of the test to revolt against a fascist regime by being born in Jamaica.

1.2.3 Constitutive Luck

Constitutive luck can be defined as the luck that one's character brings them or how one is physically or mentally built. Constitutive luck involves "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" (Nagel 28). Constitutive luck is the same exact sort of luck that could be observed in my arsonist example, explained earlier. We cannot control what qualities or traits we are born with, and as a result we are at the mercy of the way our biology builds us.

1.2.4 Causal Luck

Causal luck can be defined as the luck in how one's previous decisions affect them now. "luck in the way one's actions and projects turn out" (Nagel, 28). Causal luck can be easily understood as the problem of free will versus determinism.

Table 1.1 below shows each type of moral luck that Nagel recognizes as well as examples that show instances in which those corresponding types of luck arise.

In the next section of this chapter, I will provide a Nagelian account of how and where these types of moral luck come into existence.

Table 1.1: The Four Varieties of Luck

	<i>Resultant Luck</i>	<i>Circumstantial Luck</i>	<i>Constitutive Luck</i>	<i>Causal Luck</i>
<i>Definition</i>	Luck in how events turn out.	Luck in the sort of circumstances one finds themselves in.	Luck in one's character or how one is physically or mentally built.	The traditional problem of determinism.
<i>Example</i>	Two truck drivers from the same company get equally drunk and both decide to drive their trucks back to the stop. The first drunk driver, luckily, makes it to the stop; whereas the other truck driver, unluckily, strikes a pedestrian.	Had German citizens been born in Jamaica instead of Nazi Germany, they would have been innocent to the crimes against humanity that the Nazis committed.	Bob has normal brain chemistry, whereas his sister, Bella, is a pyromaniac. Bella tries to not entertain her pyromaniac tendencies. Despite this, her impulses push her to burn down homes. Bob never has these desires.	Everything that happens in the universe is determined, and because of this Kira cannot be responsible for her moral status.

1.3 The Internal and External

Nagel concludes that the problems that come along with the existence of moral luck arise because “something in the idea of agency is incompatible with actions being events, or people being things” (Nagel, 37). This incompatibility comes from the fact that the control principle’s claim feels almost like indisputable fact. People can all agree that moral agents are only responsible for what they have control over. If there is a situation where even a single factor is outside of a moral agent’s control, then it is safe to say that person is not entirely responsible and that there were other things exerting causal pressure on that person. Nagel asserts, “A person can be morally responsible only for what he does; but what he does results from a great deal that he does not do; therefore, he is not morally responsible for what he is and is not responsible for” (Nagel, 34).

Because we typically think of people not as things, but as people just like ourselves, the control principle loses its edge. This is because our experience of the world is purely subjective and cannot be instituted universally. For example, we can clearly see that Sarah is more wrong for driving drunk and hitting a pedestrian than Madison is who drove drunk and fortunately did not hit a pedestrian. However, we must realize that this dramatic difference in moral outcome doesn’t reflect the level of control each of these two women had on their situations.

This conflict outlines a key concept Nagel brings up in understanding why moral luck arises. This distinction is the one between viewing the world from an “internal” perspective, vs viewing it under an “external” perspective.

The first perspective is the “internal” and it is the perspective we have of ourselves when thinking about our feelings and the feelings of others. It allows us to feel shame, guilt or remorse for the actions we commit and to blame others for actions they commit. Using the drunk driving

example as reference, we typically take on an internal perspective to express blame towards people like Sarah. We do this by viewing ourselves not as objects of the universe, but as human beings with an intuitive understanding of how much control we have in situations like Sarah's. We use this internal idea of what our control looks like to then make moral judgements of culpability onto others.

The "external" perspective is entirely different in how it sees the world. People like Sarah and Madison are no longer people, but "things" that interact with one another and are affected by certain causes that precede them. The external perspective Nagel says "forces itself on us at the same time we resist it" (Nagel, 38). This is because no matter how hard we try to ignore the external perspective its essence in the control principle will always make us question its validity. Unless we turn a blind eye to the implications of our moral judgments, we cannot miss the fact that the more you analyze a situation of responsibility backwards then you begin to realize how many variables of control really exist.

For Nagel, there is no clear mediation of the two ideas, claiming that both perspectives provide useful insight into how we organize our world. Nagel states, "The degree to which the problem has a solution can be determined only by seeing whether in some degree the incompatibility between this conception and the various ways in which we do not control what we do is only appear. I have nothing to offer on this topic either" (Nagel, 38).

In the next section of this paper, we'll look at how Susan Hurley builds upon these ideas Nagel presents for moral luck, as well as what she does to reconcile the differences in how one can view the world in terms of the internal and external.

2. SUSAN HURLEY

Susan Hurley focuses on the relationship between responsibility and luck in part two of her book, *Justice, Luck, and Knowledge*. Her main goal in these chapters is to use moral luck and responsibility as a rhetorical bridge to later make arguments on how we can build a system of justice that does not let the idea of moral luck erode it.

Similarly, to Nagel, Hurley establishes an idea of separation between information we arrive to through scientific inquiry, and information we arrive to through existing as human beings. She applies this logic to the idea of responsibility. She states, “Take any widely-used concept F. We can distinguish between contexts in which F is used and people’s theoretical beliefs about Fness. If F is the concept of responsibility, we can distinguish between the context in which the concept of responsibility is applied and people’s theoretical beliefs about responsibility” (Hurley 2003, 81).

This idea of contextual vs theoretical responsibility is what will set the stage for Hurley’s later arguments as to how responsibility and moral luck intersect with one another. Like Nagel’s doubt of epistemological skeptics, Hurley realizes how consistently applying scientific standards to topics with contextual parallels can destroy our common understanding of these topics if we are not careful of where the value in these things is. Hurley asks the question, “Do the causal contexts in which a concept has been applied and its causal history determine the essential properties of what it applies to? Or does some theoretical role as we assign to it do so? I call these context-driven vs theory-driven accounts of essence” (Hurley, 81). Using this slightly different approach of looking at moral luck through the lens of its inverse, responsibility, Hurley can see the conceptual holes in some of Nagel’s original claims as to what moral luck may be.

One of the main differences this approach brings is the acceptance that responsibility can and does play a role in some forms of moral luck depending on the circumstance. For example, those situations in which lottery luck plays a role. As we will soon see the type of luck involved in lottery luck requires that a moral agent first make an active choice to enter into said lottery. This can be put in contrast to causal luck which does not allow responsibility to affect it. This is because causal luck is by definition the sort of luck that arises by one not having control over their antecedent or previous causes.

Nonetheless, Hurley believes that for philosophical purposes we ought to think of luck and responsibility as inverses of one another, or through a “thin luck” perspective rather than a “thick luck” perspective. Thin luck refers to the sort of moral luck that is completely inverse to responsibility, meaning that what is a matter of chance cannot be a matter of responsibility. Thick luck on the contrary places several different sorts of qualifiers on the idea of moral luck, such as “circumstantial” or “resultant.” When we assess moral luck through a thick luck perspective, we are questioning several factors that may have contributed to an agent being responsible to a degree.

Hurley’s main critiques of the Nagelian conception of moral luck are that it does not sufficiently take into consideration the ambiguities that come with the different forms of moral luck, those that can be categorically separated into ‘thin’ or ‘thick’ conceptions of moral luck.

2.1 Context and Theory Driven Views

In her chapter titled “Why Responsibility Is Not Essentially Impossible,” Hurley focuses on why she believes responsibility is not something that is impossible to achieve. Similar to Nagel’s views on the internal and external, Hurley’s view on context and theory driven views of responsibility seek to soothe these issues that make moral responsibility seem impossible. Where

Nagel sees this problem as one that leads to a paradox, Hurley believes the problem isn't as daunting as it seems. This problem the control principle raises for us isn't something that is necessarily built into the topic, but it comes from how we use scientific language versus how we commonly refer to certain terms. At the heart of this distinction is the power of utility. As stated in the introduction for this chapter, Hurley asks where the "essential properties" of a concept lie (Hurley, 81). She presents both the ideas of causal context, or the context of our everyday lives, versus theoretical context, or the context in which we push scientific inquiry.

Hurley thinks of the distinction between context and theory this way. For any widely used concept F there exist both a contextual idea and a theoretical idea of F. To clarify a bit further, contextual ideas are those that we frequently used in everyday life and very seldomly give any second thought to in how we apply them. Having contextual ideas is very useful for humans because it helps in communicating ideas with speed and relative accuracy. Theoretical ideas are ideas that are rooted in some sort of scientific theory or understanding of a concept. These are very useful for inquiring into the nature of things with exact precision.

2.2 Lottery Luck

2.2.1 Responsibility in Lottery Luck

Hurley explains that lack of control is simply necessary and not sufficient for certain types of moral luck to arise. For example, in cases of lottery luck we can see that there must be a level of chance in playing, otherwise the player would be considered a cheater for already knowing the outcome of the lottery. In this example, it is understood that the lack of control is simply one part of the entire explanation for this "thick" type of luck. But not all things that are beyond our control is a matter of lottery luck. By definition, a lottery is a form of gambling and gambling requires that one enter a contract to be put at risk of some outcome whether it be good

or bad. The drunk driver who strikes a pedestrian may have had a lack of control over the outcome of their situation, but they did not necessarily choose to opt into any sort of lottery. Through his own volition, the driver increased the chances of an accident occurring when he made the decision to consume alcohol before driving. This new definition of moral luck forces us to recognize that there can exist different sorts of thick luck in any given context. In this context there are events that can be defined as thick luck through a complete lack of control or thick luck as a result of “lottery luck,” where these some factors are within one’s control, making the gamble, while other are not, having one’s ticket chosen.

2.2.2 Identity-Dependence in Lottery Luck

There is also a point to be made about a person’s relationship to any given instance of moral luck, in particular how their identity shapes the kind of luck one is perceived to have. This is significant to Hurley is because she claims that for cases of lottery luck there must be an individual who has the good or bad luck outcomes of the lottery happen to them. She posits, “There is a similar sense in which good or bad luck in gambles or lotteries is also identity-dependent: it must be luck for someone” (Hurley, 119).

To better understand this concept of identity dependence in lottery luck, we should understand how thick conceptions of luck can be either forward looking, focused on control over effects, or backwards looking, focused on control over antecedent causes.

Types of forwards looking luck would include things such as resultant luck, which quite literally is defined as the luck in one’s results. This sort of luck is the kind that does not necessarily focus on the control one has over antecedent causes, but instead how several factors outside of one’s control come together to create a complete lack of control over the results of an

agent's action. In the drunk driver example, we see that the critical point of the hypothetical isn't the actual action of drinking and driving, but rather the results of such actions.

In backwards looking cases of moral luck, we see a slightly more difficult problem in assessing whether things are a matter of good or bad luck, namely in cases of constitutive luck. Constitutive luck is backwards looking because it focuses on the lack of control in the antecedent causes that lead to our physical or mental constitution. Thick constitutive luck makes the task of figuring out whether something is a matter of good luck or bad luck impossible. This is because of two things, first the agent that would normally experience the impacts of good or bad luck does not exist yet, and second when they finally do exist, we have no way of understanding their constitution as a matter of good or bad luck.

The existence and identity of a moral agent are important in assessing whether something is a matter of moral luck, because without it we are left to only hypotheticals. In other words, when looking backwards, it's impossible to make claims about a person's constitution being a certain way because the way a person is constituted is directly tied to who they are. If we were to even change one mental faculty of this person, then it would result in the creation of a new identity--an identity that very well may be entirely different from its original.

The latter issue of claiming a thick conception of constitutive luck lies in the inability to make claims to goodness or badness of a person's current constitution. This problem comes from the simple fact that we cannot remove a person's identity from judgements of good or bad luck. When we make claims of constitutive luck, we are assuming that identity is malleable in the sense that we can change several things about them while keeping what we would think of as their essential-self intact. For example, it could be the case that Curtis prefers non-existence over existence because of some issue he faces with his mental constitution. However, although he

may be facing very real harms that impact his life negatively there is simply no way to understand Curtis's non-existence as being better than his existence. Put simply, through existence we can understand whether things are harmful or beneficial for Curtis by simply making inquiries into who he is in that moment. Alternatively, in cases of non-existence we can derive neither facts of harm or benefit because there is no "Curtis" to even inquire about. It is just impossible to find the value of something that does not exist. This does not only apply to non-existence, but also just simply changes in a person's constitution overall. Hurley uses this example: "It might be a matter of good luck that the sperm and the egg from which Mozart developed came together, rather than some others. But this does not mean Mozart might have been someone else, and that he as lucky to have been Mozart; only that he might not have existed at all, and that is lucky for the rest of us that he did" (Hurley, 119).

This example illustrates the reasons why it is important that we do not mistakenly assign the identity of one agent to another just simply because they are very similar. Even if we believe two things to be very similar, for example the difference between two sperm hitting the same egg, we cannot make the mistake of saying that someone like Mozart would be less lucky constitutively than Mozart himself.

2.3 Thin and Thick Luck

As we learned earlier from reading about Nagel's four different conceptions of moral luck, we see that each sort of moral luck has its own subject matter in terms of what it affects. People whose circumstances expose them to morally lucky outcomes are considered circumstantially lucky, whereas those who benefit from the result of their previous actions and encounters are deemed lucky in their results. Morally lucky individuals who fall in the latter category are still considered just as morally lucky, since where someone is born is not a choice

that can be made. However, Hurley believes, it's important to recognize that although one cannot choose where they're born, the choices that arise from that circumstantial event can still have different degrees of responsibility applied to them.

To clarify this idea a bit more let's take the other form of luck I mentioned, resultant luck, and put it through the same line of reasoning we did for circumstantial luck. When someone's choices are affected through resultant luck, we have slightly different degree of responsibility that we can apply to them. This is because this sort of luck does not influence how a person acts, but instead determines how someone's outcomes can impact how they are morally judged. Let's refer to the drunk driver scenario for this example. We learned from this case that when two different moral agents behave in a similar way but experience different outcomes this can be thought of as a product of resultant luck. The morally lucky element of this type of luck does not necessarily rely on how the person behaves, but instead depends on the difference of outcomes when comparing two different instances of the same behavior. In other words, although it may be the case that our second driver did not intend to hit anyone, the fact of the matter is they had much more control in avoiding their reckless behavior altogether than a person who is affected by circumstantial luck. The difference of control between someone who is born under a fascist regime and someone who drives while under the influence is large enough to translate into a difference of responsibility.

The degrees of responsibility found in each type of luck makes them characteristically different. However, looking down the list of Nagel's four types of luck we see that causal luck is diametrically opposed by definition to any idea of responsibility. Causal luck again is the classic question of luck in which a person's control over the outcome of an event extends far beyond factors that person could have reasonably controlled which led to said event. If this is true, then

how does Hurley manage to fit causal luck this into her responsibility driven world view? The answer is she divides luck into two distinct categories. One defined by its inverse relationship with responsibility and one by its ability to accept degrees of responsibility. These categories are thin and thick luck.

Hurley firstly characterizes thin luck as being “simply the inverse correlate of responsibility, in the full-blooded sense that licenses and is implied by praise, blame, moral assessment, moral accountability, and resentment and other reactive attitudes” (Hurley, 107). Any event that occurs outside the scope of a person’s responsibility can be attributed to this very broad idea of “thin luck.” It does not aim to describe any kind of luck, but rather aims to provide a helpful way to think of the debate between the philosophical idea of luck and responsibility. Some forms of luck completely nullify responsibility.

On the other hand, “thick luck” is not a direct antonym to the idea of responsibility. As we observed in the examples earlier, thick conceptions of luck often will involve different levels of control and responsibility. Hurley claims that one of the qualities of thick luck is that, “it ramifies into a variety of thick conceptions of luck such as lottery luck, lack of control, lack of choice, and so on. They all have some implication or content more specific than the negation of our bottom-line judgments about responsibility, though this content can differ considerably between different thick conceptions of luck” (Hurley, 107).

What makes these cases of thick luck considerably different from their thin counterpart is that where thin luck seeks to simply oppose the base claim that responsibility makes, thick luck only opposes certain responsibilities in certain contexts, namely circumstantial responsibility, resultant responsibility, constitutive responsibility, etc. This distinction is the beginning of the

highlighting some of the confusion that comes along with the topic of moral luck. Table 2.1 below shows the relationship between thin and thick luck and responsibility.

Table 2.1 Examples of Thin and Thick Luck

	<i>Thin Luck</i>	<i>Thick Luck</i>
<i>Definition</i>	The “inverse correlate” of responsibility. The classic debate over free-will vs determinism.	The sort of luck that is qualified by other characteristics
<i>Example</i>	<ul style="list-style-type: none"> - The complete lack of control over a outcome - Natural Lottery (Thin Constitutive Luck) 	<ul style="list-style-type: none"> - Lottery Luck

Hurley claims, “Conflation of thin luck and thick luck has, I believe, contributed to unclarity and ambiguity surrounding uses of the notion of luck in moral and political philosophy” (Hurley, 107). This conflation of terms causes confusion because certain expressions in language imply that something is a matter of thick luck when in reality it makes more sense to view them as a matter of thin luck.

The reason Hurley thinks we ought to use thin luck as opposed to thick luck, is because it is not as ambiguous as thick luck in its application. There are cases in which thick luck causes contradictions to arise when applied to the kinds of luck that are not directly tied to a person’s personal identity. The reason why identity plays a role here and why it makes thick luck more ambiguous than need be is because when we make claims of lottery luck, including claims that

involve natural lotteries or constitutive luck, it is necessary that we have an agent that can experience either good or bad luck. The issue the concept of the natural lottery is deeply tied to the problem of a person's identity. This is because we traditionally make claims as to the outcomes of something being good luck or bad luck, however, constitutive luck looks backwards at causes.

In Nagel's original writing about moral luck, he fails to make this distinction between different categories of moral luck, specifically thin and thick conceptions of luck. He also fails to mention the role both responsibility and identity play in this topic. Hurley believes that the failure to make these distinctions is what ultimately causes most of the confusion over the subject. She directly outlines this confusion by quoting Nagel saying, "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 judgement, it can be called moral luck" (Nagel 1979, p.26). Here Hurley points out that Nagel is emphasizing a requirement for control in terms of making moral judgements. She claims that, "In his usage, to require control for responsibility is to reject moral luck" (Hurley 2003, p.110). This characterization of moral luck is in fact partially correct; however, it is not sufficient to describe sorts of moral luck.

CONCLUSION

Moral luck is a problem that can be defined as a paradox brought up by the control principle. A principle that states where there are any causal factors that rest outside of an agent control in a given scenario, that agent cannot be held responsible for its corresponding effects or outcomes. This is because by definition to be blameworthy or praiseworthy as a moral agent you must have the ability to freely choose your actions. Otherwise, every cause and effect would be a matter of physical determinism, and not of a moral agent making free decisions in favor of a good or bad outcome. However, this is exactly the problem that cannot be avoided by simply rejecting the control principle, because to do so would be to reject the very foundation to which we build our moral codes. We must retain a principle of control in order to reasonably say someone or something was responsible for something. In the eyes of Thomas Nagel, we can achieve this by separating our ideas of the world into external and internal views. External views are those that involve a strict sense of adherence to the control principle by viewing the world in its objective form. Internal views are those that human beings use to describe our feelings and connections to one another, which play a very important in the formation of human society.

Susan Hurley on the other hand provides her own explanation through her context and theory driven views of the world. These behave similarly if not identically to Nagel's external versus internal distinction. However, the key difference here lies in how Hurley sorts ideas into each of these categories. Instead of looking at the topic through perspectives, Hurley attempts to find what she calls the "essences" of ideas and sort them into each category. If words such as responsibility hold their essence in the context driven view of the world, then it would

appropriate to understand the term as we casually use it. Conversely, if its essences lie in its scientific usage, then it would only make sense to categorize it in that way.

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