

## MORAL LUCK – ETHICAL ROLE OF LUCK IN THE WORK OF THOMAS NAGEL

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Abstract: In the late 1970s, the problem of moral luck had come to the fore of philosophical attention. The issue was published by the leading figures in contemporary moral philosophy – Bernard Williams and Thomas Nagel, through its own works published under the same title *Moral Luck*. They sought to deny the alleged immunity of morality to luck. They themselves were based on the assumption that luck threatens morality no less than it threatens the other dimensions of human life. In the present study we analyse the Nagel's concept of moral luck that arose in response to Williams's essay *Moral Luck*.

Keywords: moral luck, moral responsibility, moral assessment, contemporary ethics

### 1 Introduction

The practice confirms that luck - in terms of the uncontrollable facts by will - carries a great significance for the human life. The social basis of health, capabilities we have, or situations we are facing it is all influenced by luck. Nonetheless, there is at least one sort of value which appears to be immune to the impact of this phenomenon – moral value.

The idea that the moral status of a human being is subject to luck seems to be for most of us incomprehensible. In this respect, our intellectual culture is strongly influenced by Kantian ethics. Immanuel Kant formulated the thesis that morality is the only worth area that is totally immune from luck (Nussbaum, 2003, p. 63). He considered that the moral worth of an action does not lie in the result, nor in actions, but lies in the will itself. In this context, he further claimed that the fundamental assumption of moral action is good will whose „...*supreme formal determination*...“ (Kant, 1990, p. 53) is moral law acting in the form of unconditional for all and, applicable under all circumstances requirement prescribing a way to determine the will with the purpose of moral action. According to Kant, the moral quality of acts therefore consists of „...*the principle of the will*...“ (Kant, 2004, p. 24) that „...*moral law determines the will immediately*...“ (Kant, 1990, p. 92) and thus independently of the empirical motives, individual interests and the natural inclination of the person.

The above passages are demonstrated by the introductory paragraphs of the *Foundations of the Metaphysics of Morals*: „*Nothing can possibly be conceived in the world, or even out of it, which can be called good without qualification, except a good will. Intelligence, wit, judgement, and the other talents of the mind, however they may be named, or courage, resolution, perseverance, as qualities of temperament, are undoubtedly good and desirable in many respects; but these gifts of nature may also become extremely bad and mischievous if the will which is to make use of them, and which, therefore, constitutes what is called character, is not good... A good will is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition; that is, it is good in itself*...“ (Kant, 2004, pp. 16-17).

Kant's doctrine of the inviolability of morality has affected other ethical theories insofar as it began to be regarded by many as a characteristic of the true moral thinking (Nussbaum, 2003, p. 619). Kantian tradition of moral philosophy has been questioned in the late 1970s by the foremost representatives of the contemporary moral philosophy – Bernard Williams and Thomas Nagel. They accomplished this through the concept of *moral luck* thereby regain the claim that moral worth is subject to luck its original legitimacy.

### 2 The problem of luck in Nagel's work

The term *moral luck* has first been coined by an English moral philosopher Bernard Williams in his paper *Moral Luck* in 1976, while reflecting a series of cases in which the moral status of a person is partly determined by factors beyond its control.

One of Williams's main objectives of his – over twenty years – effort was to clarify deficiencies of the Kantian view of morality. English author was of the opinion that Kant, who held to the view of extreme rationalism, proclaimed that morality is immune from the randomness of the outside world that is in fact not available. He thus regards the modern approach to morality as limited and distorted. Taking into account the above, he demanded a return to the ancient ethical traditions.

Despite the fact that Williams strongly rejected the idea of independence of morality from the randomness of the outside world, he himself undertook to examine its intuitive appeal. He concluded that the above concept offers solace to a sense of the world's unfairness, presented in two aspects:

1. If morality is immune to luck, then opportunity to be moral it is equally available to all.
2. If morality is immune to luck, so people would not be morally assessed for what is due to factors beyond their control.

In the further considerations, the author pays attention to the luck effect on the reflective assessment from the position of the subject of acting (Statman, 1993, p. 5). In addition, he emphasises an individual's ability to rationally justify its own decision. In this context he wants to show that rational justification of his own action or preceding decision is a matter of luck to some extent. He presents his claim based on the story of Gauguin. Paul Gauguin was young creative painter who had decided to leave his family. He did so in an attempt to live life, which would allow him to increase his chances of becoming a great painter. He went to live in Tahiti, believing that by averting from the obligations towards his family or requirements that had been imposed at that time of life he can carry out his project. However, at the time of the decision he could not know whether it will be successful. The only thing that will justify his choice will be success itself (Williams, 1976, p. 23). In fact, Gauguin does not have control over success. The will, no matter what is strong, is not sufficient to carry out his desire. In order to allow Gauguin to become a great painter, there should be much more: talent, motivation and many other factors beyond his control. In this context, the justification for his decision is affected by factors which are resulted from a luck.

American psychologist and philosopher Thomas Nagel in his paper *Moral Luck*, which was created in response to Williams's conception of luck pointed out that the issue of moral luck arises from the contradiction between the moral intuition and practices of moral assessment. In other words, people intuitively accept the principle according to which they cannot be morally responsible and, consequently assessed for facts arising as a result of interaction of factors which are beyond their control. Under this approach, the difference in the acting of two people given by factors beyond their control cannot be the object of the moral assessment. However, a regular practice of the moral assessment clearly shows that factors beyond the control of the acting subject cause differences in assessing the morality of one and the same action. This includes, in particular, the cases of the values of action based on the results or the consequences resulting therefrom. In addition, the consistent application of the intuitive principle leads to the exclusion of the possibility of moral responsibility because „...*a person does not have absolute control over all the factors affecting the nature of his deeds*“ (Nagel, 1979, p. 26).

We analyse the case of two equally irresponsible drivers who decided to drive drunk in order to return home. While the first of the pair (driver A) arrived home without any harm caused yourself or other road users, the driver B accidentally killed a child happened to be on the driver's route home. We have a question to consider: What is the difference between the above cases? These are two equally dangerous drives of two equally irresponsible drivers who decided to drive their vehicles drunk with the intent to return home. The present difference is not driving, intention nor incapacity of the driver. In both cases, this involves the action dependent on the will, the behaviour determined by the decision the drivers made.

The difference lies in outcomes due to factors beyond the driver's control. It is subject of luck whether a child cross the carriageway at a moment when driver B passes incriminated stretch of road. Despite the fact that the only significant difference between the two cases based on results conditioned by the presence or absence of the child on the route, i.e. facts beyond the driver's control, the action of driver B is - in comparison with actions of driver A- subject to much more negative assessment, both legally and morally. Since that the consequences are much more tragic for the driver B, the assessment of the decision of the driver B do drive drunk is stricter. It is this phenomenon of luck that changed our view of his action. Such conception of the moral justification is opposed to Kantian conception of morality.

In this context, it should be added that the American thinker does not dispute the rightness of the intuition, however, he agrees with the view that the luck affects the moral status of the individual. Taking into account this fact, he formulates his own concept of four kinds of moral luck (Craig, 1998, p. 520).

Firstly, it is a *constitutive luck* in terms of positive or negative factors which are beyond human being's control, however, they strongly influence personality type. These are specifically the genetic predisposition, education, environment, culture, living conditions and many other factors partially determining the character dispositions, individual abilities or character involved in the process of creating personality. In this sense, our personality is in part conditioned by factors beyond our control (Dingwall – Hillier, 2015, p. 74). The person cannot transform his own nature by simple decision. Likewise, he cannot substitute its own character dispositions. In this context, the author refers to the problem of lack of control over his own character. He also thinks about the rightness of consideration of morality or immorality of the person based on its character dispositions. In his view, the fundamental problem of such judgments arises from the fact that the moral disposition, and emotions are not in the absolute power of the individual. They are influenced by factors which are beyond man's dominion (Hsieh, 2013, p. 47). Taking into account this fact, it who we are is, to some extent, matter of *constitutive luck*.

Secondly, there is a chance in relation to the circumstances affecting the possibilities of the human action (*circumstantial luck*). According to Nagel, a specific act is determined by a free will of the acting person and accidental circumstances as a result of which the acting person is subjected to the moral test which might not succeed (Nagel, 1979, p. 34). We encounter a similar set of claims in Aristotle who, in his *Nicomachean Ethics* permits that in some cases, a good man under the pressure of circumstances might act shamefully and do things that – not to be conflict situation – would never done (Nussbaum, 2003, p. 628). Based on the results of cognitive and science investigations, it is clear that a person does not have absolute control over all the factors affecting the nature of his deeds. There are often situations in which we have limited opportunities and choices with which we are faced and are available at that particular point in time. In this context, Nagel correctly points out that in the practice of moral assessment „...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“ (Nagel, 1979, p. 34). In this sense, the moral status of a human being is

varied and depending on the situations to which it is exposed. His statements it is illustrated with an example of a German officer in a concentration camp, who might have led a quiet and morally harmless life if the Nazis had never come to power in Germany. Likewise, he reflects the life of German businessman living on the territory of Argentina, who left Germany for business reasons in 1930, and thus escaped from the war crimes (Nagel, 1979, p. 26). In this regard, we mention that the citizens of Nazi Germany were due to war events subjected to the moral test. But it is a test to which the citizens of other countries were not subjected. The most of them failed a test and subsequently collaborated on the appalling crimes. Let us add that the author via this kind of the moral luck reflects the problem of assessing the morality of persons based on their nationality. Nagel illustrates the nature of the problem on the example of American civilians who during the Vietnam War had opposed their country's actions. There was nothing they could do to stop what happening. Although the feeling of responsibility for the actions of their own country in this context may seem unintelligible, we still encounter cases considering the morality on grounds of the country: namely, the issue of collective guilt. The problem is expressed by Nagel's words: „*Citizenship is a surprisingly strong bond, even for those of us whose patriotic feelings are weak*...“ (Nagel, 1979, p. xiii).

The third type of moral luck notices about the consequences of the human acts partly, determined by factors which are beyond acting subject's control (*resultant luck*). For this reason, it is a luck in terms of the consequences of the human action. In this respect, the author has established the three categories of cases in which the assessment of the morality of action varies depending on the consequences affected by the above factors. In this context, the object of the Nagel's investigation is following: the attempt to commit a crime, acts of recklessness and decisions for which the subject who makes decision is aware of the consequences of the event would be.

The author points out the difference in the assessment irregularities and attempt to do so. He stresses the fact that accomplishment of the crime or inchoate crime is in many cases a matter of chance. In the case of the murder, a degree of culpability of an offender can depend, it would seem on „...*whether the victim happened to be wearing a bullet-proof vest*...“ (Nagel, 1979, p. 29).

In the case of offenses committed negligently, the object of the Nagel's examination is the intentional aspect of human behavior. As one of the examples he mentions the case about the possible consequences of irresponsible driving of the drunk driver. While in the first case, the drunk driver cannot handle the management and his car swerves on to the sidewalk, on which at that time were no pedestrians in its path, in the second case, the group of pedestrians was passing through the incriminated road section and no one survived the car crash. The behaviour contained in the latter case is subject to much stricter assessment, even though the only significant difference between the two cases based on consequences whether the pedestrians happened to be on the sidewalk or not and thus the fact that drivers cannot affect (Nagel, 1979, p. 29).

The third category of cases reflects decisions that lead us to doubts about consequences which are results of them, since they fail to predict at the time of decision. In such cases, people tend to act on the assumption, or rather in the hope that their actions will lead to the desired results. In such cases, people tend to act based on the assumption, or rather in the hope that their actions will lead to the desired results. Therefore they take a moral risk and „... *only time will show whether it was justified*“ (Statman, 1993, p. 14). He again illustrates his claim by the example from history: „*If the Decembrists had succeeded in overthrowing Nicholas I in 1825 and establishing a constitutional regime, they would be heroes... they fail and pay for it, but they bore some responsibility for the terrible punishments meted out to the troops who had been persuaded to follow them*“ (Nagel, 1979, p. 30).

The American thinker shifts in their thinking one step further taking into account previous analyses. He claims that: „...if one cannot be responsible for consequences of one's acts due to factors beyond one's control, or for antecedents of one's acts that are properties of temperament not subject to one's will, or for the circumstances that pose one's moral choices, then how can one be responsible even for the stripped-down acts of the will itself, if they are the product of antecedent circumstances outside of the will's control?“ (Nagel, 1979, p. 35). In this context, he represents the last kind of the moral luck (*causal luck*). The decision of the previous specific act as an object of moral assessment is not within the Nagel's thinking. It is only a matter of good will and does depend on the circumstances of the will, as suggested Immanuel Kant. Reflecting this fact, the acts of the person's aid depends on the fact whether the individuals who need help are at that specific time near to the actors, or whether they possess the necessary skills or other means, with the help of which they carry out this worthy act. In this regard, he further notes that if the circumstances surrounding the implementation of some harsh acts have changed, they would have never happened. In the same way he treats the circumstances affecting the process of creating personality. In this context, he provides an example of a child who due to the parental disinterest, poor living conditions or brutal educational practices became murderer.

### 3 Conclusion

In the light of the above, it can be concluded that the luck – in terms of the uncontrollable facts by will – carries a great significance for the human life. It affects various dimensions of human existence. The luck from the perspective of human being is rather demoralising factor taking into account the aspect of the influence of the human life nature. It creates a sense of the loss of control over their own lives, does not provide a sense of security and stability, raises uncertainty about the achieving the life goals. In this respect, the desire of a human being to be freed from the randomness of the outside world is more than obvious. Another no less obvious fact is, however, the reason for its refusal. In order to avoid influence of luck also means to eliminate the parts of life subjected to luck. However, many of them are very desirable for individual's life. In addition, they enrich individual's life by its diversity and thus make his life unusual and distinctive. In the words of M. C. Nussbaum: „Contingency, an object of terror and loathing, may turn out to be at the same time wonderful, constitutive of what makes a human life beautiful or thrilling“ (Nussbaum, 2003, p. 147).

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