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IN DEFENSE OF THE CONTROL PRINCIPLE

by

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ABSTRACT

The problem of moral luck arises out of a tension between our intuitions and our everyday practices. Many of us share the intuition that morality is immune to luck. However, there are many cases in which we seem to rightly blame one person more than another even though the only relevant difference between the two is due to factors beyond their control. Most philosophers who have written about moral luck fall into one of two categories: those who affirm moral luck and those who affirm the control principle. Those who affirm the existence of moral luck generally believe that an agent can deserve moral praise or blame for things which depend in large part on factors beyond her control. Their opposition, those who affirm the control principle, generally believe that agents are only morally blameworthy or praiseworthy for what is under their control. Many of the articles written on moral luck aim to demonstrate the incoherence of one of the two views. The aim of this paper is to defend the control principle against some of the strongest attacks levied against it. It is my hope that by defending the control principle against the strongest opposition it will become clear that despite appearances, there is no such thing as moral luck.

1 Moral Luck

Luck matters. Not just when we are at a casino or racetrack, but every day. As much as we like to think we are in control of our lives, the truth is that we are always at the mercy of luck. Our physical and mental health, our inherent intelligence, and our childhood environment are just a few of the uncontrolled factors that determine how well our lives go. Yet there is one important aspect of our lives that seems immune to luck, namely morality. While not all of us are able to achieve our career goals, develop meaningful relationships, or even have our basic needs met, each and every one of us can be a good moral agent. This perceived immunity to luck is one reason morality is so deeply important to us. As beings with such little control over our fate, we can take solace in the fact that our moral character is entirely our making.

Over the last three decades, morality's immunity to luck has been called into question. Thomas Nagel (1979) and Bernard Williams (1981) persuasively argued that many of our everyday practices betray the intuition that an agent's moral worth cannot be influenced by factors beyond her control. For example, Nagel pointed out that we tend to view the reckless driver who kills a pedestrian as more blameworthy than the equally reckless driver who does not. Since it is mere luck that a pedestrian happened to be in the way of one reckless driver and not the other, it seems luck can have an effect on an agent's moral standing (Nagel 2). The closer we examine such cases the more perplexing they become. On the one hand, we have the strong intuition that morality is immune to luck. On the other hand, we have real life cases in which we seem to rightly blame one

person more than another, even though the only relevant differences between the two are factors beyond their control. This is the problem of moral luck.

Although philosophers have taken a variety of approaches to solving the problem, most who have written about moral luck fall into one of two categories: those who affirm the control principle and those who affirm moral luck. Those who affirm the control principle generally believe that agents are only morally blameworthy or praiseworthy for what is under their control. Their opposition, those who affirm the existence of moral luck, generally believe that agents can deserve moral blame or praise for things which depend in large part on factors beyond their control. As one might expect, given the strength of the intuitions on both sides, there have been compelling arguments made for both the existence of moral luck and the correctness of the control principle. Many of the articles written on moral luck aim to demonstrate the incoherence of one of the two views. The aim of this paper is to defend the control principle against some of the strongest attacks levied against it. It is my hope that by defending the control principle against the strongest opposition it will become clear that despite appearances, there is no such thing as moral luck.

2 The Control Principle

Before defending the control principle, I will make some preliminary remarks about why we should be drawn to it in the first place. Why should we believe that the moral worth of an agent cannot be influenced by factors beyond her control? One way to answer this question is to point out the absurd implications of rejecting the control principle. Suppose a person was on trial in a world in which agents can rightly be blamed

for things they have no control over. In such a world, the following judgement would be legitimate: “We recognize that this transgression was entirely outside of your control. There is nothing you could have done to prevent this from happening. If any of us would have been in your position, we would have acted in the exact same way. That being said, you are still blameworthy for this offense.” Is it possible to imagine a more unreasonable judgment? Although it does not contain a direct contradiction, it still strikes us as incoherent and unfair. Ordinarily, when we blame somebody, we do so because we believe they made an immoral decision and we believe we would have made a better decision in similar circumstances. Blaming a person for something we know we would have done ourselves in similar circumstances is hypocritical to say the least.

With the possibility of such unfair judgments there is reason to think that in a world without the control principle morality would lose a lot of its motivating force. If a person who does everything she possibly can to be a good moral agent is still blamed for factors beyond her control, what reason would she have to keep trying to do the right thing? Why should she take morality seriously if people who sincerely try to do the right thing sometimes receive blame while people who don't care at all about morality sometimes receive praise? One might respond by arguing that if moral luck is real, it isn't necessarily widespread. People being blamed for things beyond their control could just be a rare and unfortunate side effect. Because it is so rare there is no reason to be discouraged. But this response is unacceptable. If morality is to have any motivating force, it can't have such shortcomings. It is hard enough to defend morality against moral skepticism without having the additional worry that morality is sometimes defective.

There is another pressing worry about moral luck that moves us toward the control principle. If we can rightly be blamed for things beyond our control, is there anything we can't be blamed for? Can we be blamed for the conduct of others? Can we be blamed for the cycles of the moon? Where do we draw the line? Some might argue that although we can't be blamed for things we have no control over, we can be blamed for things we have partial control over. But if we can be rightly blamed for things we have partial control over but not for things we don't have any control over, this could only be because control is necessary for blame. It is not a violation of the control principle to blame someone for an outcome she only had partial control over as long as she is blamed precisely for the parts that were under her control. If she can rightly be blamed for those parts she had no control over, then why can't she also be blamed for other things she has no control over, such as the cycles of the moon?

Despite the intuitive appeal of the control principle, many philosophers have argued against it. Robert Adams (1985) argues that we are blameworthy for our morally objectionable, involuntary mental states. Margaret Walker (1991) argues that the existence of moral luck is actually a good thing because it allows for certain human virtues that would be impossible otherwise. Michael Moore (1997) argues that because we never have complete control over every aspect of our actions, we must reject the control principle in order to avoid moral skepticism. In the following three sections I address these objections to the control principle and argue that none of them provide decisive reasons to abandon it.

3 Involuntary Sins

Robert Adams presents a tough challenge to the control principle in his essay “Involuntary Sins” (1985). Adams states his purpose unambiguously:

The thesis that we are ethically accountable only for our voluntary actions and omissions must be rejected. There are involuntary sins, and unjust anger is only one of them. Among the others are jealousy, hatred, and other sorts of malice; contempt for other people, and the lack of a hearty concern for their welfare; or in more general terms, morally objectionable states of mind, including corrupt beliefs as well as wrong desires (Adams 4).

Adams offers several examples of mental states which he believes a person is blameworthy for despite the fact that the mental state is uncontrollable. Before determining if any of these states of mind are in fact counterexamples to the control principle, we must answer three questions. First, is the state of mind morally objectionable? If the state of mind is not morally objectionable, it cannot be a threat to the control principle because it is no longer a moral issue. Second, is the state of mind truly involuntary? If the state of mind is voluntary, it is not a threat to the control principle because it is under the agent’s control. If a particular state of mind is both morally objectionable and involuntary, the final question to ask is whether or not a person is blameworthy for the state of mind. If we answer yes to all three questions in regard to a particular state of mind, we have a counterexample to the control principle. In this

section, I explain why none of the mental states Adams discusses meet all three necessary conditions for being a counterexample to the control principle.

Prior to giving examples of alleged involuntary sins, Adams discusses voluntariness. He offers a helpful definition of voluntary: “To say that something is (directly) within my voluntary control is to say that I would do it (right away) if and only if I (fully) tried or chose or meant to do so, and hence that if I did it I would do it *because* I tried or chose or meant to do it, and in that sense voluntarily” (Adams 8). After giving this definition, Adams claims that desires and emotions are not (directly) within our voluntary control because we do not try, choose, or mean to have them and it is not the case that one would have them if one chose, tried, or meant to have them (9). He gives good reasons to support this claim and I have no difficulty granting it.¹ So desires and emotions meet one of the three requirements for being a counterexample to the control principle.

In addition to being involuntary, desires and emotions must also be morally objectionable, and the agent who has them must be blameworthy. It is fairly obvious that at least some desires and emotions are morally objectionable. An example of a morally objectionable emotion is hatred (in most cases), and an example of a morally objectionable desire is the desire to see innocent people suffer. With these two examples we have mental states that are both involuntary and morally objectionable. The final

¹ One exception is second-order desires. Because a second-order desire involves rational reflection on first-order desires, it seems as though we do have control over our second-order desires. I discuss this issue further later in this section.

condition that must be met if they are to be counterexamples to the control principle is that the agent who experiences them is blameworthy.

Adams argues that the agent in possession of such desires and emotions is blameworthy, but his reasoning is flawed. In his attempt to show how an agent can be blameworthy for his involuntary desires and emotions Adams relies on an argument from analogy. He compares the individual to the American system of representative government with its “divided powers” (Adams 10). Just as the American government has different branches that each contribute to the moral character of the nation, so does the individual have conflicting dispositions and competing desires, each having their own influence on the moral character of the individual. Adams believes that in both the American government and the individual, the potential for internal conflict is beneficial. He writes: “The ever present possibility of internal conflict is not only a vexation and a potential hindrance to resolute action; it is also a wellspring of vitality and sensitivity, and a check against one-sidedness and fanaticism” (11). Up to this point, the analogy seems to work. However, the conclusion Adams attempts to draw from this comparison reveals that it is a false analogy.

Adams argues that just as it would be wrong to only hold America responsible for the actions of its president and not for the decisions of the other branches of government, it would be equally wrong to restrict moral responsibility to the part of ourselves that rationally deliberates and makes decisions. Adams is correct when he claims: “Moral credit and discredit is reflected on a nation by the kinds of dissenters that it has and lacks” (11). It is true that if a nation does something morally objectionable, there are often a

variety of entities responsible: different branches of government, courts, the voting public, etc. Likewise, when an individual does something morally objectionable there are often several facets (so to speak) of the agent that are responsible. Adams believes that because it wouldn't make sense to only blame one facet of the American government for morally objectionable behavior, it also wouldn't make sense to only blame one facet of the individual for morally objectionable behavior.

But there is one significant difference between the two. Each of the various facets of the American government that deserve blame act voluntarily. The reason we should blame the Senate and the Supreme Court is that they tried, chose, or meant to act in a certain way. When an individual does something morally objectionable, part of what causes her to behave in that way are her emotions and desires, but these emotions and desires arise involuntarily. While it would make sense to assign some of the blame for her actions to her desires and emotions, it would only make sense insofar as what is meant by blame is causal responsibility (this is the sense of blame we use when we "blame" a hurricane for the destruction of a city). While it is true that our desires and emotions do play a causal role in our actions, this does not imply that we are responsible for having them. Again, this is different from the case of the government because each different branch can try, choose, or mean to act in whatever way they see fit.

Some desires and emotions are morally objectionable even if they don't bring about immoral actions, but being morally objectionable is not the same as being blameworthy. Being morally objectionable only means that it would be immoral to reflectively endorse such a desire or emotion. A person is not blameworthy simply for

having such a desire or emotion. In explaining this point, it will be helpful to call upon Harry Frankfurt's (1971) distinction between first-order desires and second-order desires. If we discover that Fred has a first-order desire to steal an elderly woman's purse, we would find Fred's desire morally objectionable (some would immediately view Fred as blameworthy, but these people would likely be working under the naive assumption that desires are voluntary). If Fred also has a second-order desire to steal, i.e. he reflectively endorses his desire, he would be blameworthy because if he could control the desire to steal, he would choose to have the desire. But if Fred does not have a second-order desire to steal, but rather is a kleptomaniac who has been seeking treatment for years in an effort to rid himself of his desire to steal, he would not be blameworthy. We would still find the desire to steal morally objectionable, but Fred would not be blameworthy because if it were up to him, he would not have the desire. So as it turns out, some desires are such that the agent who has them is blameworthy. But these are only second-order desires which are under the agent's control and therefore not a threat to the control principle.

So far Adams has failed to make a convincing case for desires and emotions as counterexamples to the control principle. While he has shown that they are involuntary and sometimes morally objectionable, his American government analogy fails to demonstrate that the possessor of morally objectionable emotions and desires is blameworthy. While it is clear that emotions and desires are often part of the cause of morally objectionable behavior, causal responsibility is not the same as moral responsibility.

3.1 Ingratitude

In his section titled “Voluntary and Involuntary Roots,” Adams discusses the commonly held view that an agent is blameworthy for a desire or emotion only insofar as voluntary actions or omissions of the agent that lead to the desire or emotion are blameworthy (Adams 11). This view implies that the agent ought to try to improve her motives by voluntary action. Adams agrees that we ought to try to improve our motives, but he disagrees with the common view that we cannot be blamed for bad motives as long as we try our best to have good ones. In response to the view that simply trying to have good motives is sufficient Adams writes: “It is one of my principal contentions that this is mistaken—that many involuntary states of mind are objects of ethical appraisal and censure in their own right and that trying very hard is not all that is morally demanded of us in this area” (12).

This seems like too strong a demand. All we can reasonably ask of people is that they do their best. It is true that it is “better” to actually have good states of mind in the sense that a world in which everyone had good motives would be better than a world in which many people have bad motives (just as a world without illness would be better than a world with illness). But a person is not blameworthy if she sincerely tries to have good motives but fails. Adams writes: “It matters morally what we are for and what we are against, even if we do not have the power to do much for it or against it, and even if it was not by trying that we came to be for it or against it” (12). Adams is correct about this to a certain extent; these things do “matter” morally. But the fact that something is morally relevant does not imply that blame automatically enters into the equation.

Adams offers ingratitude as an example of an involuntary mental state that an agent is blameworthy for having, regardless of whether or not the agent caused it or let it arise in herself by voluntary actions or omissions. Adams postulates that one way in which an agent might be blamed for her ingratitude is if she couldn't take steps to rid herself of her ingratitude because she was unaware of it. The agent should have known of her ingratitude, and the reason she didn't is because she did not want to recognize any shameful truths about herself (Adams 13). Adams thinks the desire to keep a high opinion of oneself at the expense of truth is an involuntary sin which is the source of one's ingratitude. He concludes from this that "the search for voluntary actions and omissions by which you may have caused your ingratitude keeps leading to other *involuntary* sins that lie behind your past voluntary behavior" (13). It is true that the desire to keep a high opinion of oneself by deliberately avoiding truth is involuntary, but a person is only blameworthy if she *acts* on this desire. Choosing to act on the desire is the reason for the ingratitude in Adams' example; therefore, the ingratitude is a *voluntary* sin. Because the ingratitude in this example is ultimately a voluntary sin, blaming the agent for the ingratitude does not entail a violation of the control principle.

Of course not all instances of ingratitude are the same. Some people are blameworthy for ingratitude, but only when it comes from voluntary decisions. Blameworthiness is not an intrinsic property of ingratitude. It matters how one came to be ungrateful. Someone might be slipped a drug that makes her ungrateful toward her greatest benefactor. It would be foolish to blame this person for her ingratitude in this situation because she became ungrateful through no fault of her own. If we accept that

the person who is drugged into being ungrateful is not blameworthy, then there is no reason why we shouldn't view all involuntary ingratitude in the same way.

3.2 Repentance

In Section V of his essay, Adams argues that we ought to repent for morally bad mental states, even if they are involuntary. What Adams has in mind when he uses the term repentance is taking responsibility for one's state of mind (Adams 15). He argues that even if the mental state is involuntary, it is still good to take responsibility for it because this is a sign that you do not see it as "something that just happens to you, like a toothache or a leak in your roof" (15). What remains unclear is how exactly an involuntary mental state is any different from a toothache in the sense that they both do seem to just happen to you. If the difference is that the agent's voluntary actions or omissions are what lead to the mental state, then the mental state is not really involuntary after all.

Adams gives three reasons why we ought to repent for morally objectionable involuntary mental states. The first reason is that these mental states are "rightly ours." It is unclear what exactly Adams means by this. It is true that the mental state occurs within us and is part of us. But just because something occurs within me and is part of me, this does not mean that I am responsible for it. Adams' own example of a toothache illustrates this point. A toothache occurs within me and is part of me, so it could be said to be rightly mine. However, it is simply untrue that I am responsible for it because it is something that happened to me, not something that I did (unless I could have prevented it with proper oral hygiene). One might object that morally objectionable involuntary

mental states are entirely different from a toothache because unlike a toothache, they are part of one's character or personality. But if character traits and personality traits are no more under the agent's control than the toothache, it is not clear why the distinction is relevant.

The second reason Adams gives for why we ought to repent for involuntary mental states is that it is useful for our moral improvement to do so. He claims that accepting responsibility for these mental states helps foster a desire to change. If it is true that repentance for involuntary mental states is beneficial in this way, this does not prove that we are blameworthy for having these mental states. It only demonstrates that it is beneficial for us to feel as though we are blameworthy for pragmatic reasons even if we are not really blameworthy.

The final reason Adams gives for why we ought to repent for involuntary mental states is that such repentance is beneficial for interpersonal relationships. Adams writes: "If a bad attitude of mine has contributed to poisoning my relationship with another person, it is surely not useless for me to take responsibility for the attitude and blame myself for it" (Adams 16). It is true that repenting is a good way to let a person know that you sincerely regret the unfortunate occurrence and you will do whatever you can to prevent it from happening again. But as with the argument that we ought to repent for moral improvement, the argument that we ought to repent because it is beneficial for interpersonal relationships does nothing to demonstrate that we actually are blameworthy for our involuntary mental states. In both cases, repentance isn't merited or justified, it is simply useful.

3.3 Cognitive Sins

In his section titled “Cognitive Sins,” Adams argues that being ignorant of a morally bad mental state does not exonerate the person who has it. I agree with Adams on this point so long as the ignorance is due to laziness or some other blameworthy offense. Sometimes ignorance is voluntary and sometimes it is not. If I deliberately avoid information, I am culpable. This would be a type of deliberate ignorance which is different from proper ignorance. A person is what I will call “truly ignorant” only when she does not know some fact and she cannot reasonably be expected to know it. The truly ignorant person doesn’t deliberately avoid information and is not simply being lazy. If a person is truly ignorant of a morally bad mental state and this ignorance is the only reason she has not corrected the problem, she is not blameworthy.

Other “cognitive sins” mentioned by Adams include failing to notice other people’s feelings and having too high an opinion of one’s own attainments. It is not clear that either of the two is involuntary according to Adams’ own definition of voluntary. In the case of not noticing other people’s feelings, it seems that this only occurs when someone intentionally does not try. If a person does try to notice the feelings of others, she will usually be successful. If for some reason her attempt is unsuccessful, the fact that she at least made the effort is enough to exonerate her.

On the issue of having too high an opinion of oneself Adams writes: “And trying to assess one’s own abilities and accomplishments accurately may not keep one from thinking too highly of oneself, if one is vain” (Adams 18). Of course it is true that we tend to view those who hold too high an opinion of themselves with disdain. But when

we make such judgements we are not assuming that the person is simply making a cognitive error. What arouses disdain is the belief that such people deliberately value themselves more than others. It is important to note that even if over-valuing oneself is not the product of a deliberate decision, it could (in some cases) be remedied by one's deliberate decisions. But since it is within one's power to correct the over-valuing, it is not a threat to the control principle.

Adams discusses the example of a Nazi who grows up in a Hitler *Jugend* to illustrate his claim that one can be culpable for immoral cognitive errors even if they are merely the result of bad education or upbringing. Adams writes: "The beliefs ascribed to the graduate of the Hitler *Jugend* are heinous, and it is morally reprehensible to hold them (even if he has no opportunity to act on them)" (Adams 19). Interestingly, Adams argues that the fact that the Nazi is a victim of his upbringing gives him a claim to be treated with mercy, but not given immunity from blame (19). In making this claim, Adams is guilty of trying to have it both ways. The reason the Nazi ought to be treated with mercy is that his upbringing caused him to have the beliefs and it is wrong to blame him for his upbringing since it was not within his control. Adams writes: "No matter how he came by them, his evil beliefs are a part of who he is, morally, and make him a fitting object of reproach" (19). This can't be right. Suppose scientists develop a foolproof brainwashing system in which one can force anybody to believe anything through the use of a computer program. If someone were kidnaped by these scientists and brainwashed into believing in white supremacy, would we want to say this person is a fitting object of reproach? Certainly not. Given the amount of influence one's upbringing can have on the beliefs

she holds, it seems plausible that the Nazi's racist beliefs were no more under his control than the person in the example of computerized brainwashing.

3.4 Blame

Adams devotes Section VII to the topic of blame. Adams points out that philosophers such as Lawrence Blum have argued that emotions, feelings, attitudes, and values are appropriate objects of "moral criticism," but not praise or blame (Adams 21). Adams argues that blame is not always a form of punishment and that reproach is a form of blame that is often appropriate when punishment is not. He offers three examples of reproach that he thinks express blame. I don't believe any of the three examples are instances of actual blame. Part of what it means to blame someone is to believe the person ought to have acted differently. It will be helpful to explore Adams' examples in depth.

1) "You don't really feel sorry for what you've done!"

If it is the case that the person being reproached could not have chosen to feel sorry, then it does not make sense to assign blame to her. One might say it is a bad thing that she does not feel sorry, or that it is unfortunate that she cannot feel sorry, but it does not make sense to say she ought to feel sorry if it is impossible for her to do so. Suppose the statement in question were "You don't really feel sorry for what you've done, and whether or not you feel sorry is not within your control!" This statement does not seem to be an instance of blame at all. The recognition that the person could not feel sorry even if she wanted to demonstrates that she cannot rightly be blamed. Of course there is nothing problematic about blaming someone for not feeling sorry if it is believed that the

person could feel sorry if she wanted to. But such a case would no longer be an example of an “involuntary sin,” thus it would no longer be a threat to the control principle.

2) “It really hurts my feelings that you don’t feel anything about what I am going through.”

It is not clear that this statement is really an instance of blame. It seems more like a simple declaration of a fact intended to make another person aware of the pain one feels. It is clear that there is a wish for the other person to feel empathy, but there does not seem to be any actual blame taking place. The statement would be an instance of blame, however, if it were changed to “You ought to feel empathy for me and it hurts my feelings that you don’t.” But again, this sort of blame is only justified if it is within the agent’s control to have the feelings she is lacking.

3) “It’s arrogant of you to think you have a right to do that.”

As with the first two examples, this example makes sense only if the person being reproached could have acted otherwise. If not, it is not an example of real blame because to truly blame somebody is to imply that she ought to have acted differently. The reason all three of Adams’ examples are insufficient is that one could coherently add “but I don’t blame you for it” to the end of each one, or one could add “and I blame you for that” to the end of each one. The fact that these endings can be added without resulting in a contradiction shows that his examples of reproach are not good examples of blame and they fail to demonstrate that it is sometimes permissible to blame a person for an involuntary act.

Adams argues that there is a limit to how far a person ought to go in reproaching another for an involuntary mental state. He writes: “But to go on beyond a certain point in reproaching someone for a state of mind that he is trying hard to change, and for which he is reproaching himself, serves no good purpose. It is unmerciful and vindictive” (Adams 24). But isn’t it equally unmerciful and vindictive to reproach or blame a person for something that is entirely beyond her control? Adams says the point of reproach and blame is to lead us to repentance and to acknowledge moral realities (24). Does it make sense to repent for an involuntary mental state? As I argued earlier, it seems like what Adams should be saying is that there are pragmatic reasons why it is good for us to act as though we are blameworthy for our “involuntary sins,” but this is different from actually being blameworthy for them.

Throughout his essay, Adams makes many attempts to refute the control principle. He claims that people can be blameworthy for having certain mental states even if they are involuntary. However, he does not offer any successful counterexamples to the control principle. Most of his examples of “involuntary sins” are either not involuntary or, involuntary but not blameworthy. One of the primary reasons Adams gives for claiming that involuntary mental states can be blameworthy is that it is beneficial for the moral agent to take responsibility for her actions, and in doing so personal relationships are preserved. While these may be good reasons for a person to act as though she is blameworthy for involuntary mental states, they are not good reasons for believing a person actually is blameworthy for possessing such mental states.

4 The Virtues of Impure Agency

While many philosophers have attempted to solve the problem of moral luck by arguing that it is merely an illusion, some argue that not only is moral luck real, it is actually something to be celebrated rather than lamented. In “Moral Luck and the Virtues of Impure Agency” (1991), Margaret Walker argues that the control principle is faulty because it robs us of some of the central aspects of our humanity: “The beautifully simple regimentation of responsibility embodied in the control condition represents an alteration of our common life far more drastic than may first be supposed” (Walker 239). She believes that moral luck allows us to possess deeply important virtues that we could not possess if we were only blameworthy for things under our control. Walker proposes that we must either accept a picture of human agency as accommodating moral luck (the luck principle) or not accommodating moral luck (the control principle). She sets out to demonstrate that we have good reason to reject the control principle and embrace the existence of moral luck.

Walker begins her refutation of the control principle by looking at the possible reactions of an agent who has “unluckily” caused serious harm. She mentions a few different examples and argues that the one thing they all have in common is that we would find it “faulty if not completely unacceptable” for the agent to shrug it off. Walker offers the following example of an agent shrugging off responsibility for “unluckily” caused harm:

It’s really too bad about what happened and the damage that’s been done,
but my involvement was just happenstance that it was my bad luck to

suffer. I admit my negligence (dishonesty, cowardice, opportunism, etc.) and accept such blame as is due these common faults. But it would be totally unfair of you to judge, let alone blame me for unlucky results and situations I didn't totally control and stupid or masochistic of me to let you (Walker 240).

Walker is correct that in some cases it would be difficult for us to hear this response from an agent and not be disappointed, if not angered, by the agent's nonchalant attitude.

However, if we look at specific cases, we see that sometimes this response makes sense.

Take the classic case of the drunk driver who has the bad luck of killing another driver while many other drunk drivers make it home safely without causing any harm. If the drunk driver offers something akin to the response Walker suggests above, we would not be as enraged as Walker thinks as long as the drunk driver emphasizes the reason it would be unfair for us to blame him for unlucky results. While it is reasonable to blame him quite harshly for the decision to drive while intoxicated, our blame becomes unfair when we do not blame other intoxicated drivers to the same degree simply because they were lucky enough to avoid other drivers on the way home. What is morally abhorrent about the drunk driver is not the fact that he happened to have a fatal collision with another vehicle; rather, it is the fact that he was willing to put other people's lives in jeopardy because he could not resist the pleasure of excessive amounts of alcohol and was too stubborn to take a cab or too irresponsible to have a designated driver. In Walker's hypothetical "shrugging off" response, the key phrase is "it would be totally unfair of you to judge, let alone blame me for *unlucky results*. . ." Notice that the agent is

not claiming to be completely free from blame. All he is claiming is that the unlucky results are irrelevant to how much blame he deserves. Walker believes that hearing such a response might bring about feelings of disgust, resentment, indignation, or loss of trust (Walker 240). While I agree we would feel these things if the agent were trying to gain complete exoneration based on the luck involved in the results, it is not clear why we should have any negative feelings toward the agent who simply claims that lucky or unlucky results should not be considered when we evaluate his moral worth.

Walker argues that part of what it means to be a human agent is to understand that moral luck is real and our responsibilities extend beyond our control. We must recognize the fact of “our perfectly predictable entanglement in a causally complex world, with imperfectly predictable results” (241). On Walker’s view, we must rely on certain character traits to help us cope with the burden of our vulnerability to moral luck. In a world where moral luck is a reality, agents either possess or lack the character traits of integrity, grace, and lucidity. Walker refers to these traits as the “virtues of impure agency” because she thinks they can only be possessed by agents who are part of a causal chain that to some extent limits their control over their actions. Not only does she claim that these virtues are of great importance to human beings, she also argues that they are incompatible with the control principle. She writes: “I claim that the reality of moral luck alone makes sense of an important arena of assessment in which agents are found satisfactory or deficient, even admirable or base, to the extent that they understand their causal position and the appropriate responses to it” (239). While I certainly agree that the virtues Walker discusses contribute to human flourishing, I believe their importance

extends beyond their ability to help us cope with moral luck. Affirming the control principle and denying the existence of moral luck would not prevent us from exhibiting them. In order to make this clear it will be helpful to examine each of the virtues individually.

4.1 Integrity

In defining integrity Walker writes: “The ‘intactness’ or ‘wholeness’ that are its core meanings imply freedom from corruption, spoilage, shattering, or decay. What integrity so protects, however, is not one’s goals or goods or social standing, but one’s *moral self*. . .” (Walker 242). This seems like a good definition, but it is not clear why integrity cannot exist if the control principle is true. For Walker, the primary function of integrity is its ability to ensure that an agent is morally dependable, especially in the most trying times. She believes the best opportunities to display integrity are those involving moral luck. It is true that an individual would need a great deal of integrity to continue to act morally after being blamed for something beyond her control. It would be very difficult to put selfish motives aside and choose to do the right thing if one’s moral worth were not only measured by one’s intentions, but also by lucky or unlucky results. Of course we wouldn’t want to abandon an intuitive principle simply because it gives us extra opportunities to display our integrity—not even Walker would want to do that. But she does argue that moral luck is necessary for us to exhibit integrity: “Integrity is a quality of character hard enough to describe in any case, but impossible to capture fully without reference to the vicissitudes of moral luck” (242).

Surely this cannot be right. There are numerous cases in which an agent can display integrity without being the victim of bad moral luck. Any moral test in which one has the option to abandon her moral self to gain some benefit is an opportunity to exercise integrity. The death of Socrates is a prime example. While facing persecution for corrupting the youth of Athens, Socrates had two options for avoiding execution. He could have acknowledged his guilt in hopes of receiving a lighter sentence, or he could have fled Athens and avoided punishment altogether. Socrates rejected both of these options and accepted his death sentence primarily because he wanted to preserve his integrity. Had he admitted wrongdoing or fled Athens, Socrates would have lost the “intactness” or “wholeness” Walker believes constitute integrity. But was Socrates the victim of bad moral luck? Was he being blamed for factors beyond his control? It is not clear that he was. It is true that factors beyond his control played a causal role in his persecution. Had many contingent factors been different, he might have lived his whole life free of persecution. So we might say that he was the victim of bad luck, but not bad *moral* luck. Bad moral luck occurs when one is blamed for something beyond one’s control. Socrates was persecuted for things very much within his control. He intended to challenge the status quo and he intended to make those in power aware of their own ignorance. It wasn’t the case that he had intended to do one thing but was the victim of unlucky results. He was not a victim of bad moral luck, yet he was still able to exercise integrity. So at least one of Walker’s “virtues of impure agency” does not depend on the existence of moral luck.

Perhaps Walker could argue that it's not our everyday concept of integrity that we need moral luck to exercise; rather, it is a very specific type of integrity that can only be exhibited in response to bad moral luck (i.e. being blamed for something you had no control over). We might label this more specific type of integrity "moral luck integrity." It's true that we would lose the opportunity to exhibit moral luck integrity if we accept the control principle. But this seems like a small price to pay given the intuitive appeal of the control principle. Given that we would still be able to exhibit ordinary integrity, the loss of moral luck integrity is not a major concern.

4.2 Grace

Walker argues that on some occasions one suffers such great injustice or personal loss that the virtue of grace becomes necessary. In discussing such cases she writes: "Acceptance, nonaggrandized daily 'living with' unsupported by fantasies of overcoming or restitution, may in its quiet way be as profoundly admirable as integrity in those situations that permit no reconstructive address" (Walker 242). On Walker's definition then, one exhibits grace whenever one faces a bleak situation and accepts the reality of it, without deluding oneself into thinking that things are better than they really are or that they will miraculously get better. This seems right, but it is not clear how grace is tied to moral luck. It is true that if moral luck is real and a person can rightly be blamed for something beyond her control, a display of grace by a victim of bad moral luck would be deeply admirable. But aren't there other situations in which an agent can exhibit grace? It would seem that ordinary bad luck would provide just as much opportunity for grace as bad moral luck. In discussing the importance of grace, Walker writes: "There are morally

unlucky cases; for example, where a life is lost or a deep human bond severed, where there remains little place for meaningful reparation to others and where the self-reparative work of integrity seems a small even if necessary response to an inextinguishable loss” (Walker 242). Walker does not explain why these cases are always *morally* unlucky rather than just unlucky. A calm acceptance of grave misfortune is just as estimable in the case of a bereaved parent as it is in the case of the agent who is blamed for unlucky results.

4.3 Lucidity

The third “virtue of impure agency” Walker discusses is lucidity. She defines lucidity as follows: “A reasonable grasp of the nature and seriousness of one’s morally unlucky plight and a cogent and sensitive estimate of repairs and self-correction in point” (243). So on her view, lucidity is the ability to see clearly two things: that one is blameworthy, and what needs to be done to improve one’s moral character. The ability to recognize the gravity of a moral failure is indeed an important characteristic for a moral agent to possess. Walker is correct in asserting that self-deception and wishful thinking must be overcome if an agent wants to be truly virtuous. But just as moral luck is not necessary in order for an agent to demonstrate integrity or grace, it is also not necessary for an agent to demonstrate lucidity. Lucidity is just as important for the agent who is blamed for something under her control as it is for the agent who is blamed for something beyond her control.

As is the case with integrity, Walker could argue that there is a specific type of lucidity that can only be exhibited in response to bad moral luck. We might call this

“moral luck lucidity.” Moral luck lucidity is the ability to see clearly that one is blameworthy for something beyond her control and to see clearly what needs to be done in response. But just like with integrity, losing the opportunity to exhibit such a specific type of lucidity seems a small price to pay in order to hold on to the control principle. Given that there are countless opportunities to display ordinary lucidity without needing to posit moral luck, it does not seem like we are losing much if we deny moral luck and therefore deny moral luck lucidity.

Walker points out that grace and lucidity might not be distinct virtues, but rather necessary aspects of the virtue of integrity. She argues that whether these are distinct virtues or simply different elements of the same virtue, they are only possible for agents who are vulnerable to luck (Walker 243). It is certainly debatable whether or not the existence of ordinary luck is necessary for the possession of these virtues, but it is obvious that moral luck is not necessary. Walker fails to make an important distinction when she writes: “If integrity is the capacity required to deal morally with the impurity of luck-ridden human agency, its general absence should be a disfiguring of human life in ways broad and deep” (243). There is a difference between dealing morally with luck, and dealing with moral luck. The “virtues of impure agency” are tools an agent can use to respond to bad luck in the most morally praiseworthy way. But the positing of moral luck is not necessary to exhibit these virtues. A denial of moral luck is not a denial of luck altogether. Recognizing the wrongness of blaming someone for something beyond her control does not entail any loss of human capacity for virtue.

4.4 Pure Agency

Throughout her essay, Walker focuses on the distinction between pure agency and impure agency. She defines pure agency as: “agency neither diluted by nor implicated in the vagaries of causality at all, or at least not by causality external to the agent’s will, itself understood as a causal power” (Walker 244). So a pure agent is someone whose moral standing cannot be influenced by factors beyond her control. Pure agents live in a world where the control principle is true and moral luck does not exist. Walker defines impure agency as: “Agency situated within the causal order in such ways as to be variably conditioned by and conditioning parts of that order, without our being able to draw for *all* purposes a *unitary* boundary to its exercise at either end, nor always for *particular* purposes a *sharp* one” (243). So on Walker’s view, impure agents are those who are vulnerable to moral luck. There are factors beyond their control that cause them to act in certain ways that make them blameworthy. Walker argues that human beings are not pure agents and that if we view ourselves as such, it will have far-reaching negative consequences. She writes: “A way of conceiving agency that attempts to banish the impurity that gives integrity its point should produce under examination an alien and disturbing picture of moral life” (243). Upon close examination of Walker’s arguments, it turns out that her concerns about pure agency are the result of confusion and misconception.

Walker claims that for pure agents, no unforeseen results will place them in jeopardy of receiving blame (245). This is not true. Often times, harmful results are unforeseen by an agent because she was too lazy to take the time to think about potential

consequences. In such cases, the laziness is within her control and she is deserving of blame. Aside from such cases, the fact that unforeseen results do not place agents at moral risk seems like a good thing. If an agent acts in a way that is not morally wrong but through mere luck has unforeseen harmful consequences, it would be unfair to blame her for it. Walker argues that acceptance of the control principle makes the burden of morality far too light. But if we always face the possibility of blame for all of our actions, no matter how innocuous or selfless, it seems the burden of morality becomes impossible to bear.

Another worry Walker expresses is that if agents can only be blamed for things within their voluntary control, then in many cases they will no longer have an obligation to help those in need. Walker writes: “What will no longer be true, [if we accept the control principle] if it ever was properly thought to be so, is that the realities, potentials, needs, vulnerabilities, and sufferings of other things and people might be part of what constitutes their responsibilities” (Walker 245). Why should this be the case? The version of the control principle I defend states that we are only blameworthy to the extent that what we are blamed for depends on factors under our control. If we accept this principle, does it follow that we have no responsibility to relieve the suffering of others? It is true that we cannot be *blamed* for the suffering of other people that is no fault of our own; there is no good reason to think we ought to be. But if we accept that it is morally wrong not to help others when it is within our power to do so, the control principle cannot exonerate the person who chooses not to save the drowning child because he doesn’t want to get his clothes wet. While he is not to blame for the child being on the verge of

drowning, if he *chooses* to do nothing he is blameworthy because his choosing was within his voluntary control. We are responsible for relieving the suffering of others even though we are not responsible for the suffering itself.

Walker believes that if the control principle is right, we would never be responsible for responding to uninvited moral demands, even in cases where we deliberately invite relationships, situations, or encounters that lead to these uninvited demands. Taking the perspective of the “pure agent” Walker writes:

I may have decided to have a child, but will probably not have decided to have a sickly and difficult one; I may have entered into a friendship, but surely will not have controlled the death of the friend’s wife and the desperate neediness with which he turns to me. That legitimate moral claims can overreach deliberate commitments, that need or suffering can even sometimes *impose* responsibilities it would be indecent to ignore do not seem to be realities in the world of pure agents (Walker 245).

It is not clear why agents who can only be subjected to blame for actions under their control cannot have responsibilities imposed upon them by circumstances beyond their control. Again, the important distinction is between being *blamed* for the suffering of others and being *obligated* to help relieve the suffering. Under the control principle a parent cannot be blamed for having a sickly and difficult child so long as the child’s condition could not have been prevented. But the parent can be blamed for not taking care of the sickly child. It would not be a valid excuse for the parent to say “I did not choose to have a sick child so I should not have to provide care for it.” The control

principle does not allow agents to choose their moral obligations. A person might have many moral obligations that they did not ask for. The key difference between “pure agents” and “impure agents,” to use Walker’s terminology, is that so long as pure agents make their best effort to meet their moral obligations, they are not fitting subjects of reproach. Impure agents, by contrast, can be blamed harshly even if they have done everything in their power to do what is right.

The final worry Walker has about impure agents is that they are undependable: “Their unilateral control of responsibility and their exemption from reparative demands in all areas beyond strict control make clear that such agents may not reasonably be looked to for much” (Walker 246). If what she means is that pure agents cannot be counted on to accept blame for outcomes they had no control over, she is right. But she has failed to demonstrate that people who adhere to the control principle are any less reliable than people who believe in moral luck. There are sources of obligation other than reparation. As I argued above, a person can be obligated to relieve the suffering of others even if it is not her fault that they are suffering. Despite Walker’s arguments, there is no reason to believe that a world with moral luck is going to produce agents who are more virtuous than those who live in a world where moral standing is not determined by luck, but by effort.

5 Independent Moral Significance of Wrongdoing

In chapter five of his book *Placing Blame: A General Theory of Criminal Law* (1997), Michael Moore discusses two competing views about what factors determine one’s deserts. On what he calls the “orthodox view,” both culpability and actual harm

done are deciding factors for one's just deserts. By contrast, on the "subjective view" only culpability determines the extent of moral responsibility while actual harm done is not taken into account. Moore aims to defend the orthodox view by showing that when assessing the moral worth of an action, results do matter. So in the classic examples of resultant moral luck, such as the successful and unsuccessful gunmen who only differ in the results of their attempts, Moore believes that the successful gunman is more blameworthy because he has actually killed his victim while the other gunman tried (just as hard) but failed. If Moore is right that results of actions can affect blameworthiness even if the results are outside of one's control, then the control principle is false. Moore offers three lines of argument in support of his view that results matter for blameworthiness. In the rest of this section I will examine all three lines of argument in order to show that none of them are compelling enough to warrant abandonment of the control principle.

5.1 Intuitions about Harm and Blameworthiness

Moore begins with an examination of our intuitions about cases comparing two agents: one who attempts to cause harm and succeeds, and one who makes an equal attempt but fails. According to Moore, the judgement that more punishment is deserved when an attempt at harming another is successful is a common one. He writes: "Such judgments are common even to those holding the standard educated view, however much they think they should not think in this way" (Moore 225). The "standard educated view" Moore refers to is that results are irrelevant to desert because they are outside of our control. He calls the view "educated" because he does not believe it is in accord with our

everyday intuitions. According to Moore, most people share the intuition that results do matter. He thinks the best explanation for the prevalence of this intuition is that it is in some way truth-tracking. He writes: “The principle whose truth best explains this mass of judgments in particular cases is of course the principle that wrongdoing independently determines the extent of our just deserts, along with culpability” (Moore 226).

Is the prevalence of judgements that harm increases blameworthiness evidence that actual harm done really does increase blameworthiness? To answer this question we first need to consider whether such judgements are as prevalent as Moore claims. Not only does Moore fail to provide any empirical evidence to support this claim, he also fails to give any reasons why we should believe that most people hold this view. One might take criminal sentencing as evidence of the commonality of the view that actual harm done increases blameworthiness. For example, in many states the minimum sentence for murder is far greater than the minimum sentence for attempted murder. But there are alternative explanations for this disparity other than most people believing actual harm increases blameworthiness. The most likely explanation is that we are in a better epistemic position to judge blameworthiness when a murder attempt succeeds than when it fails. When a murder attempt fails we might have doubts about how sincere the attempt was; perhaps the unsuccessful murderer reconsidered at the last moment. If we were omniscient and knew for certain that the unsuccessful attempter had the exact same intentions as the successful attempter, I suspect that we would in fact assign more similar

punishments.² Our limited knowledge about the intentions of unsuccessful attempters give us reason to doubt the claim that criminal sentencing is evidence that almost everyone shares the intuition that harm done increases blameworthiness.

Even if Moore is right that most people share the intuition that actual harm done increases blameworthiness, there is reason to doubt the reliability of such intuitions. Many people might share the intuition that harm increases blameworthiness because they have never carefully considered cases in which two agents are the same in every relevant way except for the lucky or unlucky results of their actions. While many people may believe actual murderers are more blameworthy and deserve more punishment than would-be murderers, much depends on how the question is posed and the amount of time allowed for reflection. Suppose a survey is conducted which asks the following: “Two people both try to murder an innocent person but only one of them succeeds. Who deserves greater punishment?” I suspect that the immediate response of most people would be to say that the successful murderer deserves more punishment. But there is reason to believe that if the cases were described in more detail and people were given adequate time to form their judgments, many would say that results do not affect the blameworthiness of a person who attempts murder. If the similarities between the

² The punishments might still be different because blameworthiness is not the only consideration involved in punishment; there are also pragmatic considerations such as cost. So even though we might not punish the successful murderer and the attempted murderer to the same extent, this doesn't mean there is a difference between the two in their blameworthiness.

successful and unsuccessful murderer were emphasized, people would be much more likely to find the unsuccessful murderer equally blameworthy.

Suppose that instead of the survey mentioned above a different survey is conducted. This survey says: “Adam spends a year making plans to murder Ben just for the fun of it. Meanwhile, Carl spends the same amount of time forming similar plans to kill David just for the fun of it. Adam’s plan works perfectly and he shoots and kills Ben. Carl’s plan would have also worked, but at the moment he fired his gun David tripped and fell, allowing the bullet to narrowly miss him. Are Adam and Carl equally blameworthy?” When the question is posed in this way it is doubtful that a majority of people would respond by saying that Adam is more blameworthy. Of course some people would say that Adam is more blameworthy, but there is no reason to think such people would constitute an overwhelming majority as Moore claims. The fact that some people might share the intuition that harm increases blameworthiness even after considering cases where all things are equal except for luck in the results is not strong evidence that harm really does increase blameworthiness. It is not strong evidence because it seems as though just as many people would share the intuition that harm does not increase blameworthiness after carefully considering cases where everything is equal aside from lucky or unlucky results.

5.2 Experiences as Evidence that Harm Increases Blameworthiness

Following his section on intuitions, Moore discusses three experiences which he takes as evidence that harm increases blameworthiness. These experiences are resentment felt toward those who cause harm, guilt felt after we cause harm, and the

experience of making difficult moral decisions. In order to demonstrate that these experiences are not evidence that harm increases blameworthiness, I will consider each one individually.

5.2.1 Resentment

The first experience Moore takes as evidence that harm increases blameworthiness is greater resentment aimed at successful wrongdoing than at mere attempting or risking. He writes: “There is no question that most of us much more deeply resent culpable actors who succeed in causing bad results than equally culpable actors who only risk or try for such bad results” (Moore 229). I am willing to accept this claim, but I do not agree with the conclusion Moore draws from it. He explains how he intends to use this claim: “It is to say that for those (many) of us who feel such differential resentments, that is some evidence of the truth of the judgments to which such feelings lead, which are judgments of differential deserts” (229). It is not clear that the fact that we resent successful wrongdoers more than unsuccessful harm attempters is evidence that successful wrongdoers deserve more blame and punishment.

It will be helpful in our examination of this issue to determine exactly what happens when we experience resentment. Do we resent actual wrongdoers more because they are more blameworthy? It is natural to feel at least some resentment toward anyone who attempts to cause harm. Why do we often feel more resentment toward those who succeed in causing harm? One plausible explanation is that when an attempted harm succeeds there is a victim. Our awareness of the victim causes us to feel extra emotions that we wouldn't feel otherwise and intensifies the emotions we feel after an unsuccessful

attempted harm. We feel compassion for the victim and this compassion arouses our anger toward whoever is responsible for causing the harm. When an agent attempts to cause harm but fails we feel anger and resentment, but because there is no victim there is no compassion to intensify our resentment. We do not resent successful wrongdoers more because they are morally worse than unsuccessful harm attempters; rather, we resent successful wrongdoers more because something worse has happened and this arouses a host of emotions including resentment. When a would-be wrongdoer fails to cause harm our anger and resentment are not aroused to the same extent because there is no victim to identify with.

Evidence that resentment is a poor indicator of blameworthiness is found in the fact that we often resent those who are not morally blameworthy at all. For example, we often resent police officers who issue parking tickets even though we know full well that they are just doing their job and we are the ones at fault for parking where we shouldn't have. A more relevant example is found in cases where one person causes the death of another through entirely unintentional and accidental means. Suppose a child playing in the street runs behind a neighbor's car and foolishly lies down in the driveway. Even though the neighbor is extremely careful as he pulls out of the driveway, he is unable to see the child as he runs over and kills him. It is likely that even if the parents of the child witness the entire event and acknowledge that the neighbor is not in any way blameworthy, they will always feel some resentment toward him. This resentment will not be due to the fact that he is blameworthy for their child's death; it will be due to the fact that he is causally responsible for it. Their deep emotional pain will cause feelings of

resentment and anger at the situation and it is easiest to direct this anger and resentment at the person who bears the most causal responsibility, even if he is in no way blameworthy. It is also likely that had the neighbor narrowly missed running over their child, they would feel much less resentment or none at all. So we have an example in which people feel greater resentment when actual harm is done than if the same sequence of events occurs without harm being done. But clearly such resentment is not correlated with blameworthiness.

5.2.2 Guilt

The second experience Moore believes supports his view that harm increases blameworthiness is the greater guilt experienced after one's own successful wrongdoing than for one's attempting or risking the same harm. On the topic of guilt, Moore writes: "When we feel more of it, as we do when we cause harm, that is some evidence for the truth of the judgment to which it leads, namely, that we are more guilty for having caused such harm than we would have been in the absence of doing so" (Moore 231). It is true that we do tend to feel more guilt when we actually cause harm than when we merely attempt or risk harm. But are these increased feelings of guilt evidence that we are more blameworthy? There are three reasons to doubt this claim. It will be helpful to examine each of these reasons individually.

The first reason increased feelings of guilt after actual harm done is not evidence of greater blameworthiness is that, just as with feelings of resentment toward others who cause harm, feelings of guilt increase after actual harm because there is a victim. We feel compassion for the victim and this compassion elicits a multitude of emotional responses.

When we cause harm to another, one of our emotional responses is greater guilt. But it is important to realize that we often feel tremendous guilt for harms we cause even when it is plainly obvious that we are not in any way blameworthy. Recall the example above in which the neighbor runs over the child in his driveway despite the fact that he was as careful and cautious as possible. It is likely that the neighbor will feel tremendous guilt despite the fact that he is not in any sense blameworthy. He feels guilty because he is causally responsible for a tragedy and the compassion he feels for the child and parents blur the line in his mind between causal responsibility and moral responsibility. This example is evidence that emotional responses such as guilt are too susceptible to irrationality to be relied upon as evidence of blameworthiness.

The second reason why an increased feeling of guilt after actual harm done is not evidence of greater blameworthiness is that a significant aspect of guilt is fear of punishment.³ This fear of punishment greatly increases our feelings of guilt when we actually cause harm as opposed to merely attempting or risking it. As hard as it is to admit, the truth is that we often experience a drastic reduction in the guilt we feel as soon as it becomes apparent that nobody will ever find out what we have done. Moore offers an example which he believes strengthens his argument, but it actually illustrates the role fear of punishment plays in the amount of guilt we feel:

Commonly, when someone acts culpably but does not cause the harm attempted or risked, they experience, not just a lesser guilt, but also a sense

³ Studies by social psychologists support the claim that fear of punishment is a significant component of guilty feelings. See Caprara et al. (1992).

of relief and a shudder at such a near miss. One who drives while seriously intoxicated and avoids hitting a child, for example, may realize that he culpably risked innocent life by his action. He may feel some guilt about having so acted, although much less guilt than if his act had become the wrong of killing. He may also feel very lucky that he escaped being a killer. He knows that such escape was not due to anything he did; the child just happened to be quick enough to get out of his way. Yet his sense of relief tells him that he has genuinely escaped something, namely, the moral guilt of being a killer, a particularly heinous form of wrongdoing (Moore 231).

When we narrowly avoid causing serious harm, the sense of relief we feel comes from knowing we have avoided what would have been a series of terrible consequences for ourselves. Is there any doubt that in Moore's example the primary cause of the relief the drunk driver feels is his awareness that he just barely avoided having to spend the rest of his life in prison? Of course he may also be relieved that nobody was killed, but this is not the primary source of the relief he feels. Moore claims that in cases where we narrowly avoid causing serious harm "we experience directly how extra bad it would have been to have been a wrongdoer as well as a culpable actor" (232). Indeed it would have been extra bad, but not in terms of our moral character but rather in terms of the severe punishment we would have to face. We might also feel relief in that the world is a better place than it easily could have been, but this fact about the state of the world is not related to our blameworthiness. So as it turns out, Moore's claim that feelings of relief from near

misses is evidence that actual harm done makes us more blameworthy is not as convincing as he had hoped.

The third reason why increased feelings of guilt after actual harm done is not evidence of greater blameworthiness is that often times the disparity between the amount of guilt we feel when we cause harm and the amount of guilt we feel when we merely attempt or risk harm is far too great. When we needlessly put others at risk, such as when we drive well beyond the speed limit in order to make it to the movie theater on time, we usually do not feel *any* guilt for putting others at risk, as long as we avoid causing harm. But if we happen to cause a fatal collision because we were speeding on the way to the movies we feel extremely guilty. Even if we accepted Moore's claim that actual harm done increases our blameworthiness, it is doubtful that it could increase our blameworthiness tenfold. Yet our feelings of guilt are not even close to being equal in the two scenarios in which we speed to get to the movies on time. If guilty feelings were an accurate measure of blameworthiness, we would see much less disparity in the amount of guilt we feel in these two cases.

5.2.3 Making Moral Decisions

The third experience Moore believes supports his view that actual harm increases blameworthiness is our experience of making moral decisions. We often face difficult choices in which the correct decision from the perspective of morality is unclear. Moore is convinced that our experience in facing such tough decisions is evidence that results do matter to our moral deserts. He writes: "In thinking through any of such choices, we do not say to ourselves, 'It does not matter how my choice comes out, so long as I make a

reasonable choice without any culpable intention.’ Rather, what makes moral dilemmas so intractable is that it does matter how things come out from what we choose”

(Moore 232).

Of course it matters to us how things turn out in such cases. But in thinking about these choices we are focusing on what would be the best outcome for the parties involved, not on what would be the best outcome for our moral standing. If we did focus on what will become of our moral standing, we would indeed say something to the effect of: “Since I can’t see the future, the best I can do is try to predict what action would have the best results. As long as I proceed with the best of intentions, doing what I believe in my heart is right, I will not be blameworthy no matter how things turn out.” Of course when making tough choices most of us aren’t thinking this way. We aren’t worried about how our moral standing will be affected by the outcome; we are worried about how the parties involved will be affected by the outcome.

This point is best illustrated by an example Moore offers in which one must decide whether or not to give up one’s normal career pursuits in order to see an ailing parent through her last days. Moore writes:

As one is engaged in this attempt to help, can one ever say to oneself that one’s best efforts—the absence of any culpability on one’s part—are all that matter, that it does not independently matter whether one actually succeeds in helping? . . . In all such cases the experience of choosing seems to depend on there being significance to how our choices come out, that is, what consequences actually flow from them (233).

Again, it is obvious that results are important. But the question is whether or not results can increase blameworthiness. If a person must decide whether or not to give up career pursuits in order to help an ailing parent, it would be irresponsible for her not to consider the possible results. But these results only matter in the sense that she wants to make the choice that will be best for her parent and for herself. She is not examining possible results because she is worried about how much blame she might deserve if things go badly. If she gives up her career to help her parent, but she is unsuccessful in doing so, this would be bad. It wouldn't be bad because she has done something morally worse than had she stuck with her career, it would be bad because the well-being of her parent and herself would be decreased. If on the other hand, she gives up her career and successfully helps her ailing parent this would be good. Although it would be good in the sense that her sacrifice was morally praiseworthy, the important sense in which this outcome would be good is that her parent's well-being would be increased. Her sacrifice is morally praiseworthy regardless of how successful she is in providing comfort to her ailing parent.

5.3 Drawing the Line

Moore's final argument in support of the view that results matter for blameworthiness is perhaps the greatest threat to the control principle of all the objections so far discussed. The argument draws attention to the fact that luck in the results of our actions is not the only type of moral luck that has been posited. Nagel identified four types of moral luck believed to encompass all possible instances of moral luck. The four types of moral luck are resultant luck (i.e. luck in the results of our actions),

circumstantial luck (i.e. luck in the circumstances we face), constitutive luck (i.e. luck in how we are constituted), and causal luck (i.e. luck in how we are determined by a causal chain of events) (Nagel 60).

The crux of Moore's line drawing argument is that because we lack total control over any of our actions, we must accept the existence of at least some types of moral luck in order to avoid the conclusion that nobody is responsible for anything. But if we accept some types of moral luck, there is no principled place to draw the line between the types of moral luck we accept and those we reject. Moore writes: "My general argument will be that luck is luck, and to the extent that causal fortuitousness is morally irrelevant anywhere it is morally irrelevant everywhere" (Moore 237). This line drawing challenge is quite daunting. Moore has pointed out the weakness of the common strategy of many who deny the existence of moral luck, which is to focus only on resultant luck and ignore the other types of alleged moral luck. There are two ways to meet Moore's challenge and defend the control principle. The first option is to demonstrate that rejecting resultant luck but not other types of moral luck is a coherent position after all. The second option is to deny the existence of all four types of moral luck. In what follows I will pursue this second option

5.3.1 Resultant Luck

Let's start with resultant luck. Why is it that we should reject the claim that the results of our actions can increase our blameworthiness? The precision with which we choose our words when answering this question is crucial for responding effectively to Moore's argument. Moore believes the control principle defender's answer to this

question is that results cannot increase blameworthiness because we lack control over *all* factors that affect results. He uses this interpretation of the view to highlight the inconsistency in denying the existence of resultant luck while accepting the existence of other types of moral luck:

Suppose one took the view that because one cannot control all factors influencing a bullet's flight into a vital organ of an intended victim, the death of that victim is not something that increases the deserts of the shooter. This same feature—lack of control of all factors—is present all the way up and down the chain of causes that precede and succeed one's choices (Moore 234).

It is true that we do not have control over all factors that affect results. But the real reason results are irrelevant for blameworthiness is that we do not have control over *any* factors that affect results of our actions. Once I make the decision to drive while extremely intoxicated, it is not up to me whether or not I cause a fatal collision; it is entirely a matter of luck. If nobody else happens to be on the same road as I, no harm will occur. But if the road I take is very busy, there is a good chance I will kill somebody. Although factors outside of our control, such as our constitution and circumstances play a causal role in the development of our moral character, we still have *some* control over the type of moral agents we are. What an agent is blameworthy for are those aspects of her moral character that she does control.

5.3.2 Circumstantial Luck

Moore argues that luck plays a role not only in the results of our actions, but also in the circumstances that allow us the opportunity to form blameworthy intentions. He illustrates this point with the following example:

Imagine that Smith is a vicious, violent individual who very much resents Jones for having taken his (Smith's) job. Smith's character in general, and his desires in particular, are thus very much pro the death of Jones. Given more time, Smith would have formed the firm intention to kill Jones, given Smith's character and his motivations. As it happens, Smith never got the chance to intend to kill Jones, because: Jones died of natural causes; Jones got fired from his job about which he was so envious; Smith became injured so that he could not accept the job about which he was so envious, even if it were offered to him on the death of Jones; etc. None of these are factors over which Smith has any control, yet whether Smith forms his culpable intention to kill Jones depends on whether such factors occur (Moore 240).

It is true that in this example, circumstances beyond Smith's control prevented him from forming an intention that he would have been blameworthy for having. Because Jones died of natural causes before Smith had time to form his intention to murder him, Smith will avoid punishment for murder or attempted murder, and given our epistemic limitations we will not be able to view Smith as blameworthy for the intention he would have formed. But the crucial point is that regardless of whether or not Smith had the

opportunity to actually form the intention, the fact remains that Smith would have formed the intention to murder an innocent person out of jealousy if given the opportunity to form the intention. This fact speaks volumes about Smith's moral character. How could Smith be a better person morally than he would have otherwise been simply because of a missed opportunity to form an evil intention? The fact that Smith would have had the murderous intention is what makes him blameworthy. Smith's actually having the opportunity to form the intention to murder would not make him any more blameworthy, it would simply make his blameworthiness more transparent.

It is important to be especially clear about this issue. If the above example were a real life situation, we *could not* rightly punish Smith for a wicked intention that he would have formed under different circumstances. Nor could we rightly view Smith as blameworthy for a wicked intention that he would have formed. We couldn't punish him or view him as blameworthy in real life because there would be no way for us to know that he really would have formed the intention to murder out of jealousy. But if he would have formed an intention to murder out of jealousy under the right circumstances, then the fact that these circumstances didn't arise does not make him a better person morally. He is equally blameworthy regardless of whether or not the right circumstances arise to allow him to form the intention to murder. The circumstances do not change his moral worth; they simply change our knowledge about his moral worth. If there were an omniscient judge who evaluated the moral worth of Smith, her judgement of him would not be influenced by the fact that circumstances prevented him from forming a blameworthy intention. She would know that Smith is a nasty, jealous, despicable

person, who would definitely form murderous intentions if given the opportunity, and she would judge him accordingly. Fortunately for Smith, there are no omniscient judges. But this good fortune is not moral luck—he is still a wicked person. What Smith experiences is ordinary luck; he is lucky that there are no omniscient judges to see that he is morally blameworthy.

It might be helpful in illustrating this point to examine a classic example of alleged circumstantial luck. The example was offered by Nagel and it involves an actual Nazi collaborator and a would-be Nazi collaborator (Nagel 65). Suppose there is a would-be Nazi collaborator who lives in Argentina in the 1930's. He is identical to an actual Nazi collaborator in every relevant way except for the fact that he lives in Argentina and he does not have the financial means to move to Germany. If he lived in Germany, he would commit all of the same moral atrocities as the actual Nazi collaborator. As it turns out, the actual Nazi collaborator is viewed as extremely blameworthy and punished severely, while the would-be Nazi collaborator is not viewed as blameworthy at all. This seems to be a case in which circumstances beyond the control of agents result in differing levels of blameworthiness.

This case isn't as threatening to the control principle as it appears. Although the actual Nazi is viewed as more blameworthy than the would-be Nazi, what matters is that he is *not* in fact more blameworthy— they are equally blameworthy. Unfortunately, in real life we do not know if the would-be Nazi really is a would-be Nazi. Again, if there were an omniscient judge, and she knew that the would-be Nazi would have committed the exact same crimes and possesses the exact same moral characteristics as the actual Nazi,

it is hard to imagine her viewing one as more blameworthy than the other. Alas, we don't have omniscient judges to tell us how blameworthy people are. As a result, some people receive more blame than others who are equally blameworthy due to our limited knowledge. Again, this is not moral luck; it is just ordinary luck.

5.3.3 Constitutive Luck

Perhaps the type of alleged moral luck that is most threatening to the control principle is constitutive luck. Constitutive luck encompasses all of the uncontrolled factors that determine who one is and the character traits one has. The primary examples of such factors are one's genes and environment. The argument for the existence of constitutive moral luck is that since we are blameworthy for what we do, and what we do is largely a product of who we are, and who we are is largely a matter of luck (genes and environment), then our blameworthiness is largely a matter of luck.

Although constitutive luck is a serious worry for control principle defenders, upon close examination the existence of luck in how we are constituted does not necessitate an abandonment of the control principle. While genes and environment do determine a lot about us, if we are to make coherent moral judgments about agents, we must believe they have at least some control over the development of their moral character. If a person has absolutely no control over what type of moral agent she is, then it seems strange to make any sort of moral judgement about her. This is the Kantian notion of ought implies can. How could it make sense to say an agent ought to try to become a better person if she is powerless to do so? So if constitutive luck does entail that we have no control over the

type of moral agents we are, this would call for abandonment of the control principle.

However, it would also call for the abandonment of all moral judgements about agents.

Some might still insist that constitutive luck does necessitate an abandonment of the control principle. They might present the following example in order to press the issue further. “Person A would have done the same immoral act as Person B, had Person A’s genes and environment been the same as Person B’s. Therefore, if Person B is more blameworthy than Person A, it is only because of circumstances beyond Person B’s control.” As with cases of alleged circumstantial moral luck, the problem with this example is a lack of knowledge about the agents involved. How do we really know that Person A would have done the same immoral act as Person B if their genes and environment had been the same? If it is true that Person A would have done the same immoral act, then they are equally blameworthy. But unless one believes that all of our actions are determined solely by our genes and environment (i.e. a denial of free will), there is no way of knowing how Person A would have acted if she shared the same genes and environment as Person B.

It is important that we take constitutive luck (not constitutive *moral* luck) very seriously. We must recognize that it is much easier for some to behave morally than it is for others. Some of us have a much steeper mountain to climb in order to become good moral agents. A person raised in an abusive environment begins at a disadvantage morally because under such conditions it is difficult to cultivate good moral character. Likewise, if a person lacks the capacity to distinguish between right and wrong due to some mental disability, it would be unreasonable to view this person as blameworthy.

We should always carefully consider such factors whenever we evaluate the moral worth of another person. Some people face moral tests that are incredibly difficult while others live their whole lives without ever having to struggle to do the right thing. But this fact does not lead to the conclusion that people can rightly be blamed for factors beyond their control. The conclusion we should draw from the existence of constitutive luck (not constitutive *moral* luck) is that when making moral judgements we must be extraordinarily careful not to blame people for factors beyond their control.

5.3.4 Causal Luck

The final type of alleged moral luck to consider is causal luck, which is luck in how an agent's actions are determined as part of a causal chain of events. The idea behind causal moral luck is that seemingly all of our actions are caused by antecedent factors beyond our control. If we examine any single action in isolation, we observe a causal chain that goes far enough back in time to the point where factors that are in no significant way connected to the agent played a necessary causal role in the agent doing the action. The threat causal luck poses to the control principle is obvious. If all of our actions are caused by factors beyond our control, and the control principle is true, then nobody can be blamed for anything. But the very reason why causal luck is so threatening is the same reason why defenders of the control principle needn't worry about it. If it turns out that all of our actions really are caused by antecedent circumstances we have no control over, then the control principle is worthless. But the control principle would not be alone in its lack of worth; all moral principles and theories of moral

responsibility would be worthless. It makes no sense to discuss what agents ought to do if they are not free to do it.

6 Conclusion

The arguments put forth by Adams, Walker, and Moore each pose a difficult challenge to those who adhere to the control principle. Although I believe their views are among the most plausible of all the attempts at refuting the control principle, I have argued that each one is ultimately mistaken. There will likely be more strong objections raised against the control principle as the debate over moral luck rages on. I hope that my refutation of Adams, Walker, and Moore has made it clear that any challenge put forth against the control principle can only succeed if we sacrifice many of our cherished beliefs about morality.

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