

## The Effect of Luck on Morality

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In his work *Moral Luck* Thomas Nagel suggests that morality is determined by luck. He argues that it affects not only society's evaluation of an act but also one's ability to be moral. He is correct in recognizing that an agent is not always fully responsible for the consequences of their actions; however he understates the value society places on intention. A person's moral capacity is a matter of chance, as natural characteristics are not chosen by an agent. Luck is an important consideration when evaluating the morality of both the action and the person themselves, but determining how much responsibility may be placed on destiny is difficult. If we allow for luck to account for too much then no one may be praised or criticized for their actions; however if not enough value is given to luck then it seems we unfairly evaluate persons based on factors beyond their control. Nagel is right to suggest that some factors affecting a person's ability to be moral are a matter of fate.

Nagel draws upon Kant's theory of morality to demonstrate the importance of intention when evaluating an act's morality. By only considering an agent's motives his system does not allow for any factors of luck to interfere with the moral assessment. This eliminates any discrepancies that may occur between a person's objectives and what actually happens.<sup>1</sup> Using the legal system as an example Nagel argues that society does not follow a Kantian system:

If someone has had too much to drink and his car swerves onto the sidewalk, he can count himself morally lucky if there are no pedestrians in his path. If there were, he would be to blame for their deaths, and would probably be prosecuted for manslaughter. But if he hurts no one, although his recklessness is exactly the same, he is guilty of a far less serious legal offence and will

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<sup>1</sup> Thomas Nagel, "Moral Luck" in Pojman, *Ethical Theory: Classical and Contemporary Readings*, California: Wadsworth, 2007, p. 295.

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certainly reproach himself and be reproached by others much less severely.<sup>2</sup>

It is true that this is a case of moral luck, but this example gives an inadequate reflection of society's feelings towards intention. It is not feasible that the law implement such a system. The law must look beyond intention when punishing the wrongdoer. People may not be held accountable for events that could have happened. In this example it cannot be proven that had someone been on the sidewalk the driver would not have swerved, applied the brakes, or done anything else to prevent the accident. It would seem odd if the legal system had the power to punish for things that could have happened. Therefore the drunk driver who does not harm anyone may only be reprimanded for the act of driving while impaired since the potential results of this action are difficult to prove. Though the charge for impaired driving is not as great as manslaughter it demonstrates that society views this as an unethical act. The law puts more value on intention than Nagel has accounted for.

Society's value for intentions can also be seen by the treatment of actions that occur outside the legal realm. Nagel believes that "there is a morally significant difference between rescuing someone from a burning building and dropping him from a twelfth-story window while trying to rescue him."<sup>3</sup> But this is not always the case, sometimes a judgment is formed regardless of the end result. This can be demonstrated by the Canadian hero Terry Fox. Despite the fact that he did not meet his goals, there is no cure for cancer and he did not complete his Marathon of Hope, Fox was still recognized as one of the top ten greatest Canadians of all time.<sup>4</sup> When thinking of Fox it is not his lack of accomplishments but his spirit and intentions that are remembered. It can be assumed that if the person in Nagel's example had taken a reasonable amount of

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<sup>2</sup> Nagel, 297.

<sup>3</sup> Nagel, 296.

<sup>4</sup> CBC/Radio Canada, "Top Ten Greatest Canadians: Terry Fox," <[http://www.cbc.ca/greatest/top\\_ten/nominee/fox-terry.html](http://www.cbc.ca/greatest/top_ten/nominee/fox-terry.html)>.

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care people would view the misfortune as the fault of the fire and praise him for his effort. If the rescuer was careless and clumsy he would be held partly responsible for the death. This moral blame is not because of his failure but comes as a result of his acting carelessly. If the amount of care given was beyond the agent's control the situation would be assessed differently. This is why in law a reasonable and prudent person is held to different standards than infants and those who lack the mental capacity to make informed decisions. It is true that the person who fails to complete the rescue is likely given less praise than the person who is successful, but this does not mean that intentions go unnoticed. A failed rescue is at times due to luck, and where this can be shown he will be viewed just as moral as the successful rescuer. But often a failed rescue is a sign of carelessness or another factor that may not be attributed to luck. Regardless of an acts consequence, value will be given to an agent's intentions where it is reasonable to do so.

Nagel separates luck into different categories, one of which is circumstances. These are factors that pertain to the type of situations one is faced with.<sup>5</sup> Situational factors are often beyond the control of the individual. In order to assess someone's morality they must be faced with a moral dilemma. The most immoral person may go unnoticed if they are never required to make an ethical decision. Whether or not an agent faces such dilemmas is a matter of luck. Consider two children who by chance are born into different families. The first child is raised in an affluent family and is given support emotionally and financially from his parents. As a result he becomes a good moral agent and lives a virtuous life. The other child is raised in lower income housing and receives less support from his family. As a result he joins a gang to gain a sense of belonging and becomes involved in various immoral acts. Here it may be said that social inequalities lead to situational differences, which had an effect on each child's development as a moral agent. The delinquent will be viewed as immoral since he chose to behave unethically, despite the fact that his socioeconomic status was a contributing factor in his behavior. It is difficult to

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<sup>5</sup> Nagel, 297.

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decide what should be done to compensate for this bad luck. In one regard it is unfair to hold the delinquent to the same standards as the child who seems to have had an easier path, yet to give the delinquent special treatment undermines the good behavior of the virtuous child. To treat the children differently assumes that given the same situation both children would react in the same manner, but the behavior of any agent in a given circumstance is impossible to predict. The situations we are presented with affect our ability to demonstrate how ethical we are, still luck is what determines whether or not any moral predicaments arise.

There are certain aspects of a person's character that affect their ability to be moral. To use the same example as stated above, a child dealing with the same sociological factors as the delinquent may not be lead into an immoral life. There are many children who lack financial and sociological support that do not engage in immoral behaviors. The psychological factors that affect ones ability to make good moral choices are what Nagel refers to as constitutive luck. These are traits that pertain to an individual's inclinations, capacities and temperament.<sup>6</sup> Given the same situation people will differ in their capability to make the right decision, this capacity is acquired by chance. Consider a married man who is unhappy with his marriage and is given the opportunity to date an attractive female. He finds himself in an ethical dilemma; he may act adulterously or remain faithful to his wife. If he cheats on his wife this could be considered a psychological problem, he is said to lack virtues such as patience, honesty and commitment. His adulterous ways are not his fault, for he did not choose to lack the character traits necessary to stay committed to his wife. These virtues are instilled at birth and thus are the result of luck. Upon the discovery of her husband's actions his wife would most likely not accept an explanation that applied constitutive luck and call him unethical, among other names. Nagel is right to suggest that character traits are a matter of fate but it is hard to determine which behaviors are a result of innate traits and those that result from choice.

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<sup>6</sup> *Ibid.*

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It is easier to accept circumstantial luck since situations are regarded as external influences. Because constitutive luck pertains to character traits which are internal it seems odd to think that a mental cause for action is beyond an agent's control. If this type of luck is accepted then deciding what an individual is responsible for becomes problematic. If luck is to account for every act then no one is morally responsible for their actions. In such a world a good moral agent is not a status that is earned but is bestowed upon the lucky who are fortunate to possess the proper character traits. This takes away from the meaningfulness of living an honorable life since our morality is predetermined and cannot be changed despite our greatest efforts. If not enough is attributed to luck then it seems unfair to hold some agents accountable for things beyond their control. It appears the more we attribute to luck the less we can give to the individual. The solution to this moral dilemma cannot easily be realized.

Nagel underestimates the value society places on an agent's intentions but is right to incorporate luck into a person's ability to be moral. Psychological traits may influence a person's capacity to act morally. These traits are not chosen by the agent, thus their acquisition can be regarded as a matter of luck. When society evaluates the morality of both a person and an act it is hard to determine how much should be accredited to chance. Although people try to focus solely on intentions factors concerning constitutive and circumstantial luck are difficult to account for. We do not live in a Kantian society because it would be impossible for such a system to function. For every action that we attribute to fate we take away from the responsibility of the individual. Though it is correct to acknowledge luck when evaluating the morality of both an act and an individual it is difficult to determine which external factors are matters of fate.

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### **Works Cited**

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