

A Critical Analysis of Thomas Nagel's View on Moral Luck

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Abstract: Thomas Nagel tries to defend moral luck by saying that a moral agent is never responsible for the action performed by him, because the situation or outer conditions of an action, which are not controlled by the agent, are responsible for an action. In this paper it is sought to make a solution to the moral luck problem based on a fair opportunity account of control. Thomas Nagel claims that moral luck reveals a paradox. It holds that the apparent paradox emerges only because he assumes that attributions of responsibility require agents to have total control over their actions. The reason is that a more modest understanding of what it takes for someone to be a responsible agent i.e. being capable of doing the right thing for the right reasons—dissolves the paradox and shows that responsibility and luck aren't at odds. It is clear that moral luck leads us to the moral agent has no freedom of will and he acts something as machine. If it is held then the judicial system of all countries are to be stopped and it does not need any administrative system also. In the same way none can admire any one for his good action and condemn any one for his bad action. This is really a ridiculous. Moreover, Nagel emphasized condition of an action; but here it can be thought that a condition may have other prior conditions and these second types of condition may have third types. Thus it creates an infinitive regress; people will not be able to have the actual one.

Keywords: Moral Agent, Responsibility, Metaphysics, Reason, Opportunity

1. Introduction

According to Thomas Nagel, there is paradox in the in concept of moral responsibility. In moral responsibility there is condition of control, in short CC, that can be told that an agent is morally responsible if the action is under control. No one is responsible for what is not under control. So the action which is performed due to pressure, force, involuntary movements, ignorance etc is to be excused for non responsibility. The contradiction arises here due to the facts on what people depend act anything are beyond our control but people imposing arbitrarily on it. But Nagel did not realise that there must have a responsible agency.

2. Problems of Moral Luck

Michael Zimmerman, an eminent moral philosopher of language, said "None can escape responsibility through luck" [2] and he thinks luck cannot add to one's degree of responsibility. To be morally responsible is to so that there is an entry in one's moral deed in light of some fact about

oneself, and moral record as a person is affected by this fact. In this way responsibility is synonymous of moral record which cannot be affected by luck. Hence the task is to show that a person's moral record is impervious to four types of luck as Nagel identifies. Nagel distinguished between the degree and the scope of an agent's responsibility. Degree means how to blame or praise someone and scope includes the things for which someone is praised or blamed. Here the central point is that the luck can affect the scope of responsibility of moral agents but never its degree. Degree can be varied according to actions. Suppose in the case of resultant luck, the two negligent drivers share the same degree of blameworthiness due to the same degree of negligence by freely refusing to take precautionary measures, yet the scope of what they are blameworthy for blameworthy for, is different. One of them is responsible for killing a child, whereas the other isn't; because differences in scope don't affect the person's moral record. It follows that the two driver's moral record is tainted to the same degree. The cases of circumstantial luck are very ridiculous because, a sinner and a saint are same responsible when the sinner killing a man and the saint is accompanied unknowingly. Off course, it

is true that the saint is innocent and has no capacity to overcome the situation before killing the man and has been accused as same as sinner.

Here it is vague about the distinction between the degree and the scope of an agent's responsibility in the case of this negligent driver. It is claimed that after killing the child the driver is more responsible for it than the driver who did not kill the child. It implies that the additional thing, the innocent driver is responsible for child's death, adds nothing to his responsibility i.e. he is zero degree responsible. This idea is incoherent. More again, in spite of coherence of the distinction, it fails to deliver the complete eradication of luck; because when a trait of character is essential for the agent, then it cannot be said that "as an agent has no essential trait of character so he can freely commit wrong doing. If essential trait leads the agent to behave rightly then he cannot escape from the responsibility through luck.

3. Rejecting of CC

In Nagel's moral luck the contradiction arose; because he assumes the condition of control as an essential element of the responsible agency. There would not be any paradox or contradiction if people hold that the condition of control is not the part of ordinary conception. Margaret Walker [7], an American poet philosopher thinks that CC is the part of pure conception of agency relating to Immanuel Kant. Accordingly agents are morally assessable for the effects of "that causality which may be identified with the agent itself, e.g. the causality of character or of intention" [6]. She then claims that this conception is fundamentally at odds with moral practice, since the latter is premised on the assumption that competent moral agents grasp the fact that they are entangled "in a causally complex world with imperfectly predictable results" [2]. A world of pure agents, who defend "the strict correlation of moral assessment and responsibility with control" [3], would be a world where "people routinely and with justification walk away from the harmful, cruel, or even disastrous results which their actions were critical, even if not sufficient, in bringing about" [3]. So CC is not part of ordinary conception of responsible agency. Pure agent who holds the condition of control would be appalling. However this interpretation of CC is an essential interpretation of ordinary conception of responsible agency.

4. Nagel's Skeptical Problem

Nagel claims that the "Skeptical problems arise not from the imposition of an arbitrary external requirement, but from the nature of moral judgment itself" [2]. He thinks that something about the very nature of moral judgment is what gets the moral luck paradox going. He elucidates it saying that, moral judgment of a person is judgment not of what happens to him, but people judge him without knowing his characteristics. The effect of concentrating on the influence of what is not under his control is to make this responsible self seems to disappear, swallowed up by the order of mere

events. So, following Nagel it can be said that the conception of nature of moral judgment cannot be taken in to account when people judge a moral agent; and people should not be treated as to be morally lucky or unlucky. He contends that the requirement of moral judgment i.e. the CC actually undermines the moral judgment itself. A moral agent has not total control over his action; it is the core argument of Nagel moral luck paradox. But Nagel's this argument may not be held good because there is an alternative argument. Nagel holds the nature of "moral judgment," and is concerned with the judgments of moral responsibility. It is usually identified by its intimate connection to the so-called "reactive attitudes" of resentment, indignation, guilt, gratitude, admiration, and pride etc. which are thought to be constitutive responses of moralized praise and blame. When people praise or condemn someone, our response is guided them. Accordingly, we judge that someone is right or wrong, people are judging that the person in question is a fitting target of these attitudes. So, judgment of responsibility makes a class of judgments that moralizes praise or blame and the associated reactive attitudes. It is clear that the class of judgments seems to presuppose some form of control on the part of the person being judged. When people blame someone for something wrong, then people assume that the action was under his control.

Nagel himself mentions in passing the skeptical nature of the problem of moral luck [2].

It is true that Nagel's official position doesn't convict our attributions of responsibility of error, but of being paradoxical.

Fischer [8] coined the label "total control" to refer to Strawson's (2002) conception of the kind of control required for responsible agency.

If people discover that he has control over the action, then, although people get certain characteristic reactions concerning what happened yet people blame or praise. Nagel insists just in this point but his opponents may deny that presupposition of total control is tangled with the nature of judgment of responsibility. This clash is not only of intuition. If Nagel is right then there must have a certain form of responsibility. If people concede that judgment of responsibility presupposes total control, and total control never remains upon moral agent then our warranted attitude is to be kept on the ground that there is no necessary condition of judgment of responsibility.

Nagel is wrong because the demand of total control is an intrinsic requirement of judgment of responsibility. When people decide someone is responsible for something then our central concern seems to concede that the moral agent had no control over every single factor. It is common that ascription of culpability presupposes the ability to do otherwise. Having this ability does not require total control and contra causal freedom but it requires a kind of control of a fair opportunity to avoid evil ones. Nagel also admitted the importance of the fair opportunity and emphasised on control. But when people say that someone is someone is praiseworthy for something, then people do not think of total control on the part of moral

agent, rather people presuppose that the agent has done the right thing for right reason and praise him not regarding the factors associated his action. In the same way when people blame someone rather than praise then our concern seems to seek the agent's capability of doing the right thing; and people would say that the agent had a fair opportunity to avoid the evil work but he had not taken the advantage of this opportunity to avoid the wrong thing although many outer factors are associated with the work. It is to be clear that fair opportunity of control means the possession of the capacity to do the right thing for the right reason. Brink and Nelkin in their article "Fairness and Architecture of Responsibility" Brink and Nelkin 2013 gave an explanation of fair opportunity. Two things are there normative competence and situational aptness "Normative competence consists in a host of cognitive and volitional abilities that together make an agent a reasons-responsive one. The possession of these abilities allows the agent to recognize and respond to salient moral considerations—not always but with enough frequency so as to count as a competent moral agent. On the other hand, situational aptness consists in the agent's situation being such that nothing in it significantly interferes with the deployment of his cognitive and volitional abilities." When normative competence and situational aptness are in place, the agent has responsibility-relevant control over his actions. He is capable of doing the right thing for the right reasons, and so he has a fair opportunity to avoid wrongdoing. If he proceeds to do something wrong, he is a fitting target of blame and associated reactive attitudes. So, there are some factors beyond the agent's control that can be excused of blame, but if people accept the account of normative competence and situational aptness then the outer factors deprive the moral agent to avoid the wrongdoing. Some may object that the fair opportunity not to do evil work is very indeterminate notion; it cannot help in practical situation. But this objection can be refuted that normative competence and situational aptness both together constitute a kind of control that affords a fair opportunity to avoid wrongdoing. These two are intimately related to the existence of exemptions and excuses. And people have a pretty good grasp of the kinds of factors that exempt and excuse precisely by impairing normative competence or situational aptness. There are exemptions that an agent fails to the necessary attribute of moral responsibility; he cannot be blameworthy for his evil work because exemptions like insanity, immaturity, coercion, duress, ignorance, uncontrollable urges etc are to be excused.

5. Way of Abolition of the Paradox

The kind of control is that the moral agent the fair opportunity to avoid wrongdoing; and luck is not odd with possessing this kind of control. Our ordinary practice of responsibility must tolerate many accidental influences on result of action. These influences make the case that either the normative competence or situational aptness is remained absent there for excuse. The control of agent is the principle of distinguishing those factors which block ascription of

responsibility by excusing.

American Philosophers Devid O Brink and Professor Dana Kay Nelkin (female) both are alived. They wrote the article "Fairness and the Architecture of Responsibility" published in the journal Oxford Studies in Agency and Responsibility, San Diego, 2013. For them, our conception brings together the dimensions of normative competence and situational control, and people factor normative competence into cognitive and volitional capacities, which people treat as equally important to normative competence and responsibility. Normative competence and situational control can and should be understood as expressing a common concern that blame and punishment presuppose that the agent had a fair opportunity to avoid wrongdoing. This fair opportunity is the umbrella concept in our understanding of responsibility, one that explains it distinctive architecture.

On the other hand those factors which despite escaping the agent's control ad have the impact on agent's work are compatible with a responsible agent. Nagel says "If the condition of control is consistently applied, it threatens to erode most of the moral assessments people find it natural to make" [2]. Here he interprets the CC as demanding the total control. Thomas Nagel introduced four types of luck such as resultant, circumstantial, constitutive and causal. Circumstance and ignorance provide an excuse when the agent is not expected to notice the relevant consideration at work. Suppose a pedestrian was walking on the dark lane and suddenly he footed on a man who was lying there for long time being injured seriously by a bike accident. No one could be anticipated this. The ignorance of this location fully excuses the pedestrian from blame. It is also notable that this specific situational factor can deprive the agent to avoid the wrongdoing. Nagel here seems to think that provides 'excuse' for avoiding responsibility. But it depends on assumption that total control is responsible agent's requirements. So it is argued that circumstantial excuse is to be decided on case by case after assessing the disturbance of agent's controlling capacity. People cannot select their appropriate moral tests and the facts do not show their absence that matter in the moral responsibility. Similarly, constitutive luck implies that having or lacking of a certain trait can make something easier or harder to recognise moral reason; people cannot choose their character traits. For Nagel, condition of control implies that people need controlling capacity as far as possible. But Nagel is not right here, because the control that affords the fair opportunity to avoid wrongdoing is compatible with the fact that the central traits of our character aren't up to us. Following causal luck it can be said that our will is influenced by some other cause then people have also responsibility over our action. So, the fair opportunity account of control can distinguish in a principled way between i) genuinely exempting and excusing conditions and ii) fortuitous external influences on our agency. The fair opportunity account doesn't deny that fortuitous external influences exist, nor does it deny that such influences often play a crucial role in molding what people are and what people do as moral agents.

P. F. Strawson thinks, responsibility is an interpersonal practice in which people deploy (feel or express) the reactive attitudes, consisting of approbation, praise, disapprobation, resentment, indignation, and so on. "Global skepticism" means here those who do not know absolutely about the moral responsibility of agent. They are confused about what is more commonly referred to as moral responsible. It refers to a family of views that all take seriously the possibility that human beings are never morally responsible for their actions.

6. Way of Control of Resultant Luck

Resultant luck is that where an action or project is turned out. For example, a reckless driver kills someone by badly driving and another reckless driver fortunately did not kill anyone because no one was on the path. Here the former is lucky and later is unlucky. It can be refuted from a different angle that, the negligent driver who did not care to keep attention for checking his brakes and as a consequence killed a child seems to be more blameworthy than an exactly similar negligent driver who didn't kill a child. Both cases are completely independent. So, it cannot be rational to blame one of them more than the other. Here notable points are that all things which are involved in certain degree of resultant luck are not resultant luck. Some cases of resultant luck are reasonable no to neglect in agent's behavior. It is reasonable to expect of the negligent driver that he foresees an obvious possible result of his negligence that he may be involved in a situation in which optimally functioning brakes would be needed—precisely the ones he would lack. Besides this, responsibility sometimes outruns control without exception. That is, the agent can accept the idea that, our blaming practices track actual harms over and above what strictly speaking was under the agent's control being subject to the commonsense criterion.

7. Conclusion

It can be held that if people accept a kind of control then, paradox regarding the issue can be overcome and there will be no paradox lying at the heart of our concept of responsibility. People have to concede that condition of control does not necessarily imply an impossible demand of control. Condition of control as fair opportunity can distinguish between genuinely excusing condition and external influences. Nagel contends, 'If the condition of control is consistently applied, it threatens to erode most of the moral assessments people find it natural to make'[2].

Nagel also here indirectly confessed it because he faced the relevant question "are never ultimate source of action?" he was also in doubt to have the total control over our action; and thinks that moral luck makes to hold people are not ultimate source of action and people have no total control over them. But people have also alternative way to reply this questions that moral agent is capable of doing right ones for right reason and can avoid the evil ones.

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