

# Handout: *Enoch and Marmor – The Case Against Moral Luck*

## I. The Philosophical Problem

### The Problem:

- There seems to be a morally significant difference between **reckless driving that causes a death** and reckless driving that does not.
- Similarly, there seems to be a difference between a person who *actually* commits a crime and someone who *would have* committed the same crime, had circumstances been different.
- However, these differences appear to depend on **luck**—that is, on factors outside the agent's control (p. 406).

### The Core Dilemma:

- Either we hold firm to the *condition of control*—that moral judgments must only concern what is within an agent's control—and reject **moral luck**,
- Or we accept **moral luck** and abandon the control condition, thus permitting moral responsibility to extend beyond an agent's agency.

### Enoch and Marmor's Solution:

- Defend the *condition of control* and **reject the philosophical coherence of moral luck**.
  - Critique three of Nagel's four kinds of moral luck:
    1. **Consequential luck**
    2. **Circumstantial luck**
    3. **Constitutive luck**  
(They set aside the fourth—causal luck—for a later occasion.)
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## II. Preliminary Clarifications (p. 407–408)

- **Luck**, for this debate, is *not* about low probability events. It refers to **any factor not under an agent's control**.
  - The authors do not aim to defend the condition of control exhaustively, but assume that it has **sufficient intuitive and philosophical support** to warrant defending unless strong reasons arise to reject it.
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## III. Consequential Moral Luck (pp. 408–419)

### Example:

- *Arnold and Brian* both drive drunk and run red lights.
  - Arnold gets home safely.
  - Brian hits and kills a pedestrian.

### Nagel's Claim:

- Brian is *more culpable* than Arnold due to the bad consequences of his action.

### Enoch and Marmor's Response:

- It's **true** that Brian caused a worse *state of affairs*, but this does **not justify a difference in moral blameworthiness**.
- Moral responsibility must be assessed *ex ante*—what the agent could foresee at the time of action (p. 411).
  - Brian and Arnold **were equally reckless**; the outcome was simply **luck**.

### Key Distinction:

- **Blameworthiness vs. Blame-Related Reactions** (p. 412–413):

- Blameworthiness depends on responsibility and control.
- Reactions (e.g., punishment, regret, social condemnation) may be influenced by pragmatic or instrumental concerns (e.g., deterrence, public safety).

**Agent-Regret (Williams):**

- It's reasonable for Brian to feel special "agent-regret," even if he's not *more blameworthy*.
- This emotion might reflect **epistemic uncertainty**—"maybe I was more at fault than I thought" (p. 418).

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**IV. Circumstantial Moral Luck (pp. 420–425)****Example:**

- *Green and White* both plan to assassinate Orange. Green succeeds before White can act.
- **Moral intuition:** Green is more culpable than White.

**Author's Analysis:**

- Again, the **only difference is luck**.
- Our intuitions are explained by **epistemic considerations**:
  - We cannot know for sure what White would have done (p. 422).
  - We judge more confidently when actions are actually taken.

**Praise Analogy (p. 424):**

- *Debbie and Edward* are both potential heroes. Only Debbie gets a chance to save a drowning child.

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- We praise Debbie, not because she's *more praiseworthy*, but because **her action has symbolic and educational value**.
  - Edward might still deserve admiration, but **not the same public recognition**.
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## V. Constitutive Moral Luck (pp. 425–431)

### Definition:

- Moral assessment based on one's character traits, which are often shaped by luck (e.g., upbringing, genetics).

### Nagel's Concern:

- We do morally assess people for who they are, not just what they do.

### Enoch and Marmor's Rebuttal:

- We make **two kinds** of evaluative judgments:
  1. **Non-agency-related**: e.g., "It's a morally bad state of affairs that many are greedy."
  2. **Agency-related**: e.g., "You *ought* to overcome your greed."
- Character can sometimes be changed or resisted; **when it can**, we can hold people responsible.
- But **where change is impossible**, blame is inappropriate (p. 430).

### Illustration:

- A friend is always late despite sincere efforts to improve. We may **regret** this, but **not blame** them (p. 430).
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## VI. Character-Based Theories of Blame (p. 431)

- Some argue we're blameworthy *insofar as actions reflect bad character*.
- This view avoids consequential and circumstantial luck—actions merely express traits—but **embraces constitutive luck**: since we cannot control our character, blame based on it invites luck back in.

### Enoch and Marmor's Critique:

- This leads to a **problematic form of moral luck**, making us responsible for traits we never chose.
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## VII. Two Final Worries (pp. 432–434)

### 1. Challenge to the Blameworthiness vs. Blame-Related Reactions Distinction:

- Strawsonian views argue that blameworthiness just is the appropriateness of certain “reactive attitudes.”
- Enoch and Marmor counter:
  - **Judgments about blameworthiness** ground these attitudes—not vice versa.
  - Even if we accept this view, a distinction must be maintained between *core* and *non-core* reactions.

### 2. The Free Will Worry (p. 435):

- Some argue that scrutinizing control conditions too closely threatens to make **all moral responsibility vanish**.
  - Authors concede this worry, but say it's **not unique** to debates over moral luck—it's a general concern about freedom and agency.
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