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A problem for moral luck

Steven D. Hales

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Abstract The present paper poses a new problem for moral luck. Defenders of moral luck uncritically rely on a broader theory of luck known as the *control theory* or the *lack of control theory*. However, there are two other analyses of luck in the literature that dominate discussion in epistemology, namely the probability and modal theories. However, moral luck is nonexistent under the probability and modal accounts, but the control theory cannot explain epistemic luck. While some have posited that “luck” is ambiguous, so that one theory of luck is operative with epistemic luck and a different theory works for moral luck, there are both semantic and philosophical reasons to reject luck ambiguity. Defenders of moral luck must engage with the broader literature on luck and either provide a comprehensive defense of the control theory or concede that moral luck is not a genuine thing in its own right.

Keywords Luck · Moral luck · Moral privilege · Epistemic luck · Control

Very few writers on moral luck, luck egalitarianism, or moral privilege make any effort to provide a definition or analysis of luck. The few who do assume that the control theory of luck is correct, almost invariably without argument, and rarely even with an acknowledgment of alternative theories. Critics of moral luck proceed solely by offering counterexamples and counterintuitive cases to the principles that are supposed to underwrite moral luck (Cf. Nelkin 2013 for an overview). My argument here is that the problem with moral luck is luck itself. I will argue that moral luck is possible only if one assumes a specific theory of luck, one that is not a suitable account of epistemic luck. What’s more, ‘luck’ is not semantically

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ambiguous, which suggests that a radical reconception of luck and its role in philosophy is called for.

Neither Knight (2013) nor Arneson (2011), both of which are recent state-of-the-art survey pieces on luck egalitarianism, say anything at all about luck simpliciter. Card (1996) explicitly equates (white, male, heterosexual) privilege with a form of moral luck, uncritically assuming—despite a book-length treatment of the topic—the truth of the control theory (p. 22). Bailey (1998) defines dominant group privilege “as a particular class of unearned benefits and immunities enjoyed by individuals who, by moral luck, belong to groups with race, heterosexual, gender, or class privilege” (p. 111). She never discusses what luck, or moral luck, are. In her book on moral luck (Athanasoulis, 2005), Athanasoulis assumes the control theory (pp. 5–6) without even acknowledging alternatives. Tan’s book defending luck egalitarianism (Tan 2012) merely remarks that “luck... is meant to capture any situation outside the choices and control of individuals” (p. 92) and then proceeds to dismiss the relevance of the metaphysics of choice. Both opponents (e.g. Royzman and Kumar 2004; Enoch and Marmor 2007) and defenders (e.g. Cholbi 2014; Hanna 2014) of moral luck take issue with each other over various matters, but not over the fundamental nature of luck. Royzman and Kumar are silent on the nature of luck and Enoch and Marmor briefly acknowledge the existence of a probability theory of luck, but dismiss it without argument in favour of the control theory. Cholbi says nothing about the nature of luck or moral luck in general, and nonchalantly assumes a control view of outcome luck. Zimmerman (2006, p. 585) offers one sentence to embrace the control view as obviously right and Hanna (2014) uses less than that. Instead, following Nagel (1979) and Dworkin (2000), the moral luck literature carefully parses species of moral luck such as constitutive, outcome, circumstantial, brute, and option luck. Shockingly underexamined is the genus of luck itself.

This state of affairs is made urgent by the fact that there are two other prominent theories of luck that dominate discussion in other areas of philosophy, namely the probability and modal views. If moral luck is to survive, moral philosophy must either

1. Show that the problem of moral luck arises no matter what broader theory of luck is adopted, or
2. Show that the favored control theory of luck is true and the others false, or
3. Show that ‘luck’ is ambiguous, and there is more than one true theory of luck; the control analysis of luck is correct in moral contexts, whereas the modal or probability accounts are operative in other contexts.

Should it turn out that none of these three can be established, it would be a serious blow to the cogency of moral luck as a useful way to understand moral assessability, blameworthiness, praiseworthiness, and attendant phenomena.

1 Three theories of luck

1.1 Theory 1: control

The control theory is ubiquitous in moral philosophy. Here’s how Lackey (2008, p. 256) characterizes it:

An event is lucky for a given agent, S, if and only [if] the occurrence of such an event is beyond—or at least significantly beyond—S's control.

Levy (2011, p. 36) gives a multifarious presentation of the control theory, what he calls “non-chancy luck.”

An event or state of affairs occurring in the actual world... is non-chancy lucky for an agent if (i) that event or state of affairs is significant for that agent; (ii) the agent lacks direct control over that event or state of affairs; (iii) events or states of affairs of that kind vary across the relevant reference group, and (iv) in a large enough proportion of cases that event or state of affairs fails to occur or be instantiated in the reference group in the way in which it occurred or was instantiated in the actual case.

Levy's presentation makes clear the need for a significance condition: an event isn't lucky or unlucky if no one cares. What gets added is not improbability or modal fragility, but the extent to which an event is outside of the control of an agent whom it affects. To my knowledge, the only defender of moral luck who explicitly adopts something other than a straight control view is Peels (2015), who defends a hybrid view of luck that includes lack of control as a necessary condition.

1.2 Theory 2: probability

The probability analysis of luck is dominant among mathematicians and scientists (Ambegaokar 1996; Bewersdorff 2005; Mazur 2010). They uniformly consider the development of mathematical probability theory to have settled the nature of luck. The main philosophical defender of the probability theory of luck is Nicholas Rescher. In Rescher (1995) he argues that only improbable events can be lucky or unlucky, and that their degree of luck is a function of the event's improbability and its importance ($\Delta(E)$). He offers this formula (Rescher 1995 p. 211) to measure the amount of luck (λ) in an event E: $\lambda(E) = \Delta(E) \times \text{pr}(\text{not-E})$. Thus the occurrence of a mildly improbable event that is very important might be just as lucky as a very improbable event that is only somewhat important. Very important, very unlikely events are the luckiest of all. No luck whatsoever attaches to events that are wholly unimportant or are certain to occur.

1.3 Theory 3: modality

The modal theory of luck is common among epistemologists. According to this view, an event is lucky only if it could very easily have not occurred. The most prominent defender of the modality theory is Duncan Pritchard, who writes, “if an event is lucky, then it is an event that occurs in the actual world but which does not occur in a wide class of the nearest possible worlds where the relevant initial conditions for that event are the same as in the actual world” (Pritchard 2005 p. 128, see also Pritchard 2014). Epistemologists like the modality approach because then epistemic luck involves “a true belief that could very easily have been false” (Pritchard 2012 p. 272) and due to epistemic luck, “the fact that you could very

easily have been deceived is a ground to deny you knowledge, even if in fact you were not deceived” (Pritchard 2012, p. 275). These ideas pave the way for requiring a popular safety condition on knowledge, which states that S knows that p only if S 's true belief that p could not have easily been false (although see Goldberg 2015 for a recent criticism). Modally robust events, on the other hand, are not due to luck. A true belief that is false only in distant possible worlds is (or is at least a worthy candidate for) knowledge. It cannot be a matter of luck that a necessary truth is true, or that an inevitable event occurs. A proposition that remains stably true as one moves further and further away from the actual world is less and less attributable to luck.

Consider how the three different theories on offer explain winning the lottery, a paradigm case of (good) luck. Under the control theory you are lucky to win because winning was beyond or significantly beyond your control. Winning was significant for you, you lacked direct control over that event, and there is tremendous variance across lottery players (most lose, despite doing what's in their power to win). You're lucky to win the lottery on the probability view because it was of great importance to you that you win and it was so vastly unlikely that you would do so. For the modal view you are lucky to win because winning mattered to you but your win failed to occur in close possible worlds; had you picked one different number, or had a single ball in the lottery hopper rotated an extra 20° , or a myriad of other small changes in the world occurred, then you would have lost. While the different theories offer distinct explanations of why winning the lottery is lucky, they are all in agreement that it is in fact lucky. One might suspect that they are notational variants on each other, or at least extensionally equivalent. However, they are not.

2 Why the three reigning theories of luck are nonequivalent

The three different theories do not give the same rulings on all cases; they are not mutually reducible or coextensive. Look first at the probability and modal theories. Imagine you decide to play Russian Roulette and luckily for you, you are a winner. Or was it luck? On the modal account you are quite lucky to win; a tiny change in the world, such as if the barrel had rotated just one more chamber, would have meant losing. Victory in Russian Roulette is modally fragile; it is easy to lose. But on the probability account you are *not* lucky to win. The chance of winning is $5/6$ —it is very likely that you will win Russian Roulette, and so not a matter of luck at all. Or consider losing a fair lottery. Since it was vastly probable that you would lose, under the probability account your loss is not a matter of (bad) luck; indeed it is just what you should expect to happen. For the modal view, your lottery loss is in fact bad luck—your win was modally close. Just a tiny change in the world and the prize would have been yours. Pritchard (2014) argues that it may be irrational to place a wager on astronomically long odds that are nevertheless modally close (like the lottery), but it is even more irrational to bet on equally long odds that are also modally distant (like betting that a randomly picked philosopher will win gold in the 100 m sprint at the next Olympics).

One way that modal and probability theories come apart from most versions of the control view is in cases of nomological and metaphysical necessity. For example, it is nomologically necessary that the gravitational constant of the universe, G , is what it is; different universal constants mean different physical laws. It is of course very important for us that the gravitational constant be what it is in the actual world; were it a little weaker the universe would be a lifeless entropic soup of fundamental particles. A little stronger and all matter would be knotted up into giant black holes. It is only in very distant possible worlds that the laws of nature are different and that G is some other value. Likewise, since it follows from the laws of nature, it is probability 1 that G has the value it does. Thus under the probability and modal views, it is not a matter of luck for the gravitational constant to be what it is. However, we wholly lack control over the value of G ; it is as beyond our control as anything could be. The control theory rules that we are lucky after all.¹

The control theory may also differ from the modal and probability views depending on the strength of the control requirement. It is too much to demand that true control *entail* success—that's setting the bar way too high for control (as noted by Sosa 2011, p. 53). If control simply demands *reliable* counterfactual performance, as Pritchard (2014) holds, then control is robust enough to ensure success across close worlds. This would mean that a lack of control is at least a necessary condition for luck. A result of such a view is that even experts may not have control within their domains of expertise. For example, an All-Star hitter in baseball gets a successful hit only about 1/3 of the time. Hitting in baseball is modally fragile; trifling changes in the ball speed and spin, bat angle, location of the outfielders, and numerous other things will lead to a miss. A home run becomes a strikeout in close worlds. Similarly professional painters may scrap many canvases or paint and repaint over the same picture before they achieve the result they want. Pierre Bonnard was reputedly such a perfectionist that he would visit his paintings in museums and art collections to retouch them when the guard was distracted.² Bonnard could not reliably (in either a probabilistic or modal sense) produce the effects he desired. Holding control to Pritchard's high standards will mean that the most skillful results from ability may in fact be due to luck.

Suppose we lower the requirements for what counts as being in control, so that a class of events might count as under a person's control even if that person frequently or usually fails to produce them. In this case the control theory pulls away from the modal theory even in non-expert cases. Imagine a hobbyist golfer with, say, an 18 handicap. She hits a tee shot solidly down the middle of the fairway. Under the lower standards it seems very reasonable to think that event was within her control. The golfer was in control of her bodily movements and intentionally struck the ball with the intention of hitting it down the middle. She succeeded in doing so; it wasn't random or a fluke or anything of the sort. Just a typical day on the links. When an 18 handicapper says "I hit it down the middle" the standards for what counts as 'down

¹ For further discussion of necessary truths and their implications for theories of luck, see Hales (2015).

² On Bonnard's perfectionism, see Grande (2009).

the middle' might be more lax than the standards Rory McIlroy has in mind when he says "I hit it down the middle." We're likely to regard Rory's statement as true only if he's in the center of the fairway, whereas we're likely to regard the 18-handicapper's statement as true so long as the 18-handicapper is anywhere in the fairway. Under the weaker view of control the golfer's shot wasn't the result of luck. That's not so on the modal account, though. Tiny changes in golf have big effects. If she had altered her stance just a small amount, or the club shaft were rotated in her hand just a little, or she had a slightly looser grip on the club, then her shot would have sliced into the woods. In nearby worlds she fails to hit down the middle, and modally it was luck after all.

3 Does moral luck exist no matter which theory of luck is adopted?

Supporters of moral luck universally accept the control theory of luck, insofar as they clearly adopt any particular theory of luck whatsoever. Could this be a merely a contingent fact of history? Even though there are extensional differences among the probability, modal, and control theories of luck, maybe moral luck exists under any one of them. If that's the case, then supporters of moral luck, luck egalitarianism, and moral privilege have little to fear—just pick a basic theory of luck and run with it. Unfortunately for defenders of moral luck, the matter of which analysis of luck is correct is critical for establishing the possibility of moral luck. Under the probability and modal theories, there is no such thing. Consider two canonical examples of moral luck.

3.1 Example 1: the social lottery

'It is bad luck to be born into a relatively poor family, or a family that is selfish or spendthrift... some... persons have the good fortune to be conceived by industrious, lucky, and generous parents while others the bad luck to be conceived by poor or unlucky or selfish ones... [The] properties of one's parents or relatives are as much a matter of luck, in that sense, as one's own physical powers' (Dworkin 2000, p. 347). 'It is indeed brute luck which distributes children into rich and poor families' (Cohen 2011, p. 5). 'Paradigms of moral luck [are] lives that began from a combination of generally privileged social positions' (Card 1996, p. 3); 'being inside social constructed ethnic and color categories becomes part of our moral luck' (Card 1996, p. 9). 'Being granted the privilege to marry because you are heterosexual, or the privilege to vote because you own land, are male, or are white...[is] a matter of luck' (Bailey 1998, p. 110).

3.2 Example 2: the genetic lottery

'We want to find some way to distinguish fair from unfair differences in wealth generated by differences in occupation. Unfair differences are those traceable to genetic luck, to talents that make some people prosperous but are denied to others who would exploit them to the full if they had them' (Dworkin 2000, p. 92).

'Illness—even when it has a genetic base—is a matter of bad luck' (Dworkin 2000, p. 345). '[One] way in which the natural object of moral assessment [is] disturbingly subject to luck... is the phenomenon of constitutive luck—the kind of person you are, where this is not just a question of what you deliberately do, but of your inclinations, capacities, and temperament' (Nagel 1979, p. 28).

There is no bright line between the social and genetic lotteries. Many things straddle the two, like asthma. Asthma is caused by a combination of genetic and environmental factors (Martinez 2007). If someone is unlucky enough to have asthma, is that because they lost the genetic lottery (and were born with the genes that put them at high risk for the disease) or because they lost the social lottery (and were raised in a region with high levels of allergens, pollutants, and industrial chemicals)? For Dworkin et al. it doesn't matter. The asthma sufferer endures a diminished quality of life through no fault or blame of their own—including an increased risk of mortality, and a greater likelihood of anxiety and mood disorders, sleep apnea, and other conditions. Moreover, such circumstances may, as Nagel puts it, affect the development of moral character, the kind of person one becomes in cooperative life. However, none of my arguments require a sharp division between the social and genetic lotteries; they are merely a convenient way of parsing considerations of moral luck common in the literature.

Moral luck is a nonstarter if we adopt either the probability theory or the modal theory of luck. Most of the paradigm cases of moral luck turn out not to be matters of luck at all, and it is merely coincidence if any of the residual cases survive. Consider first the probability theory, according to which an event is unlucky for a person if and only if it was improbable that the event occurred and it was significant for that person. Very likely events are neither lucky nor unlucky; they are the expected path of life. One kind of loss in the social lottery—emphasized by those who think social privilege is real and an example of bad moral luck (like Card and Bailey)—is being born black in racist society that favors light skin, or being born female in a sexist society that favors males, or being homosexual in a homophobic society. Indeed, Card's (1996) book is wholly devoted to just these cases. Under the probability theory, these turn out not to be cases of luck at all, and thus not cases of bad luck or of bad moral luck. Consider being born black in a racist society—is that unlikely or improbable? We should expect the results to hold *mutatis mutandis* for the cases of sexism and homophobia as well. Imagine Derek, a black male born into a racist society. Are any of these events or states of affairs improbable?

- A. Derek was born to black parents.
- B. Derek was born into a specific society S.
- C. Society S is racist.
- D. Derek suffered discrimination because of his racist society.
- E. The evolution of Derek's character, his interpersonal relationships, and his place in society are shaped by that discrimination.
- F. Derek's well-being and life prospects are harmed or reduced as a result of racism.

Given plausible Kripkean assumptions, (A) is metaphysically necessary. God did not roll dice to choose Derek's parents; he couldn't have been born to any other parents than the ones he in fact has. (A) is probability 1. The probability of (B) is also very high. Parents very rarely have a choice as to which society their children will be born in. Nearly always their children will be born into the society in which the parents already live. (C) is also very likely. If we look at the base rate of racist societies, then it is probable that S is racist because most societies exhibit some degree of racism. Defenders of luck egalitarianism and those who think that social privilege is real and an odious result of moral luck spend a good deal of time defending the near inevitability of claims like (D)–(F). Thus (A)–(F) are all probable. Under the probability theory of luck, no salient fact about Derek is a matter of luck.

What about the modal theory of luck? Recall that an event is lucky under the modal theory only if it fails to occur in nearby possible worlds; i.e. slight changes in the actual world would have prevented the event from occurring. Events are lucky when they are modally fragile, and not a matter of luck when they are modally robust. Since (A) is metaphysically necessary, it is as modally robust a proposition as possible. We may reasonably imagine that the world would have been substantially different for Derek to have been born into a different society than he was in the actual world. Much would have to be altered for Derek's parents to have moved to another country prior to his birth, for example. So (B) is also true in all close worlds. Supporters of moral luck and believers in moral privilege will acknowledge that racism is insidious and difficult to fully eradicate. A great deal would have to change about prevailing attitudes and social and legal structures to accomplish this goal. Thus (C) the fact that a given society is racist is also modally robust. Under the assumption that (A)–(C) are all true, (D)–(F) would only fail to hold in distant possible worlds. It would be modally extraordinary for Derek to have been born black in a racist society and not be negatively affected by that at all. It turns out that moral luck fares no better with the modal theory than it did with the probability theory.

Moral philosophers can still argue that racism is wrong, racist societies need to change, Derek has suffered unjustly, and all of that, but under both the probability and modal theories, Derek is not the victim of bad luck. Since the idea of privilege is grounded in moral luck, Derek is also not morally underprivileged. The same reasoning holds in other famous cases of the social lottery. Consider Nagel's case of someone who was an officer in a concentration camp, but might have led a quiet and harmless life in Argentina had the Nazis never come to power versus someone who led a quiet and harmless life in Argentina but might have become an officer in a concentration camp if he had not left Germany in 1930 for business reasons (Nagel 1979, p. 26). The former supposedly suffered bad moral luck and the latter enjoyed good moral luck. It is easy to imagine, though, that it was very likely and modally robust that the Nazis would come to power and unlikely and modally remote that the officer would have moved to Argentina in different circumstances. Thus the officer did not endure bad moral luck after all. We can tell a similar story about the businessman. If his move to Argentina in 1930 was very probable and he would have failed to move only if the world had been quite different, then, under the probability and modal theories, he was not the beneficiary of good moral luck.

The same pattern holds in cases of genetic luck. Dworkin claims unfair differences arise when some possess innate talents that make them successful and prosperous (genetic good luck) and others lack those talents when, if they had them, they would have exploited them to the full (genetic bad luck). Consider schizophrenia. Twin studies indicate that schizophrenia is primarily genetic in origin, although it can be amplified by environmental factors. Symptoms of this disease commonly include a disconnection from reality, an inability to process ideas in a coherent fashion, a loss of emotional responsiveness and speech fluency, social withdrawal, and hallucinations. Schizophrenics lack even basic talents of communication, cogency, and social function that allow others to be successful and prosperous. There is nothing one could do to prevent the disease, and it is not the result of choice or negligence on the part of the sufferer. It seems to be the very epitome of a case of genetically-based bad moral luck. Once again, however, it is not a matter of luck on either the probability or the modal theories.

Consider Rachel, who was born with the genetics for developing schizophrenia, developed the disease in adolescence, and suffered in the predictable ways as a consequence. Was it improbable that she became schizophrenic? No, not given her genetic make-up—it was highly probable that she would develop the disease. Was it improbable that Rachel had the genetic make-up that she did? Again Kripkean concerns come into play here. A child with a different genetic composition would not have been *Rachel* (this relatively modest claim is obviously not committed to the view that genetics are sufficient for personal identity, as the case of identical twins shows). Of course, one needn't adopt Kripke's position on origin essentiality to think that a person Y with a different genetic makeup from X would not be the same person as X, on general personal identity grounds. At the very least, I think that such a view has sufficient intrinsic plausibility that it is a reasonable primary assumption. It is improbable that any particular child will be born with schizophrenia, as the disease is uncommon in the general population, just as it is improbable that any particular passenger will be killed in a plane crash. Plane crashes are rare. But given that one is in a plane crash, death is very probable. Likewise, given that one is Rachel, with her essential genetic nature, schizophrenia is very probable. And, of course, given that she is schizophrenic, the negative impact on her life is very probable as well. On the probability view, there is no luck, good or bad, in Rachel's case.

Things are no different with the modal theory of luck. If we agree that had Rachel's genetic coding been different that it would not have been Rachel but someone else, then in every world in which she exists, Rachel regrettably has the genes that encode for schizophrenia. Given that she has those genes, it is modally robust that she develop disease at some point; it is only in distant worlds that she never gets it. Much about the actual world would had to have to be changed for Rachel to never suffer from schizophrenia; the world would have to be vastly unlike how it actually is for Rachel to be schizophrenic and not have her life impeded or her life prospects damaged in any way. All of the relevant facts about Rachel are modally robust; on the modal theory of luck she is not the victim of bad luck. Luck is a non-issue for Rachel.

It is worth noting that hybrid theories of luck fare no better in preserving moral luck against the problems raised here. Take Peels (2015) as an example. According to Peels, an event *E* is lucky or unlucky for some person *S* at some time *t* iff (i) *S* lacks control over the occurrence of *E* at *t*, (ii) *E* is significant to *S* at *t*, and (iii) *E* occurs in the actual world, but not in a wide class of nearby possible worlds. All three conditions must be met for an event to be lucky. However, the modal condition (iii) fails in the Derek and Rachel cases. The relevant facts about Derek and Rachel not only hold in the actual world, but also in a wide class of nearby possible worlds, as has already been argued. Tacking on modal or probability conditions to a control theory does not help preserve moral luck.

One might object that while there are modally robust, highly probable cases that pose problems for using the modal and probability theories to understand moral luck, nevertheless there are surely other examples of moral luck where the modal and probability theories do work just fine. Perhaps things aren't as bad as I'm making them out to be. To this objection, I agree: the modal and probability theories may give the intuitively right result on some instances of moral luck. In fact, it would be surprising if they didn't. But the fact that those theories blow it on great swaths of putative cases of moral luck shows that they can't work as general accounts of moral luck. Compare: although the JTB analysis of knowledge gets lots of cases right, that does not mean it is an adequate theory; it needs to get them all right to be an acceptable theory of knowledge. Moreover, we do not need to show that JTB fails in every instance to see that it won't do—a couple of counterexamples is all it takes. The same holds true for the modal and probability treatments of moral luck.

When the 16th century English preacher John Bradford saw convicts being led to the scaffold, he reputedly said, "there but for the grace of God goes John Bradford."³ The intuitions behind moral luck are Bradford's own—that we ourselves are lucky, graced by fate's fickle finger, which capriciously sends some to the gallows and others to the throne. But if we adopt either the probability or the modal theories of luck, then Bradford was quite wrong. For the most part, moral luck is non-existent. Moral luck, luck egalitarianism, and theories of moral privilege cannot work without an antecedent commitment to the control theory of luck.

4 Is the control theory of luck true and the others false?

A necessary condition for universal acceptance of the control theory is that it adequately accounts for luck in other domains of discourse. If it cannot, then (barring ambiguity, which will be discussed in the next section) lack of control is not a fully general or acceptable story about luck. Let's test the control theory with epistemic luck. The modal (especially) and probability views dominate discussion of epistemic luck, although control ideas have gotten some recent favourable interest from virtue epistemologists. For example, John Greco writes, "something is

³ God's grace was short-lived in any event; Bradford was later burned at the stake for heresy.

a matter of luck in relation to some agent just in case it is not the agent's doing. Put differently, something is a matter of luck just in case it is external to the agent's own thinking, choosing, and acting" (Greco 2010, p. 130). Epistemic luck arises when some unexpected circumstance skews the connection between a belief and the truth of that belief.

On one reading of epistemological history, refinements to our understanding of knowledge are nothing but repeated attempts to avoid epistemic luck. Why isn't knowledge merely true belief? Because one could just make a lucky guess, and a lucky guess isn't knowledge. So we add justification as a necessary condition. Why isn't justified true belief knowledge? Because Gettier cases show how one can satisfy JTB and the truth connection is still a matter of luck. Why won't any number of JTB + x theories work? Because there are cases in which one is lucky to possess the truth, even though JTB + x is satisfied.⁴ In other words, so long as you're lucky to have hold of the truth, you don't have knowledge; traditionally any amount of luck undermines a claim to know.⁵ Epistemologists are like drug dogs, ready to bust any theory with a whiff of illicit luck.⁶

Will the control theory suffice to explain epistemic luck? No, and for a surprising reason: it makes everything about knowledge a matter of luck. Consider a subject with a justified true belief that P. Unless one subscribes to a strong and implausible doxastic voluntarism, the subject lacks direct control over her belief that P, and may at best have a tenuous and indirect control over that belief. Certainly a widespread view is that what we believe is significantly beyond our control. It may be that subjects have control over factors that influence what they believe rather than control over those beliefs themselves, although the heuristics and biases literature would seem to vitiate even this claim. If a subject lacks control over her belief that P, then she is lucky when things pan out and her belief that P is true and unlucky when it turns out to be false. To the extent that we do not have control over our beliefs, they are infected with luck.

Or consider the truth of P. The subject who justifiably believes P has no control over whether P is true (at least, for every proposition not made true by the agent herself, which will be almost all of them). The truth of P could be greatly significant for the subject, and P might be false at other times or other circumstances. But the objective fact of P is not something that is controlled by the believer. Not even the most radical relativist claims that the truth of every proposition is under the control of every believer (see Hales 2011 for an overview of recent relativist theories). Like belief, the truth component of knowledge is also not within a believer's control.

Similarly, the fact that S is justified in believing p may be beyond the subject's control. Even if we allow doxastic voluntarism, and the subject has control over which things she attends to, which propositions she ignores, and which claims she believes, it is not clear that any of that enables the subject to have control over

⁴ Zagzebski (1994) argues that this is in fact inevitable.

⁵ See Church (2013) for a recent defense.

⁶ Carter (2015) is the exception that proves the rule. He's willing to let knowledge be compatible with *some* luck, just so long as it isn't too much.

whether that evidence *justifies her beliefs* (cf. Alston 1988). Internalists about justification maintain that a subject can introspect her beliefs, determine the extent to which they are justified and mutually supporting, and form preferences about which beliefs are rational to retain. It may be that under internalism a subject has a kind of control over whether the justification relation obtains, insofar as they are able consciously to bring their beliefs into alignment with the requirements of justification. Externalism is a different matter, though. Externalist views about justification (e.g. reliabilism) or other externalist constraints on knowledge (e.g. sensitivity and safety principles) don't even require that a subject be cognizant of the fact that her beliefs are justified or meet these principles in order for them to do so. A belief that *p* can be reliably formed, modally safe, sensitive to the truth, etc. while at the same time the believer may have no idea whatsoever that her belief satisfies any epistemic principles at all. One cannot have meaningful control over whether a relation holds when one is not even aware of whether it holds. For epistemic externalists, believers lack control over the connection between their beliefs and the truth.

We don't need to enter fake barn country, ask after Nogot and Havit, worry about stopped clocks, inquire as to Truetemp, or examine any other classic cases of epistemic luck. Under ideal conditions a subject could perhaps explain her doxastic success to herself, but she cannot *control* it. If the control theory of luck is right, then epistemology never needed Gettier. JTB is riddled with luck every step of the way. It is clear that the control theory is far too broad and encompassing to capture the distinctive interest of epistemic luck. Whatever epistemic luck is all about, it is not about a lack of control.

Now we have arrived at an impasse. We can (1) reject the control theory of luck, which allows the preservation of epistemic luck but eliminates moral luck, or we can (2) accept the control theory, which lets us keep moral luck but botches epistemic luck entirely. There is one final option that might be pursued, though.

5 Is 'luck' ambiguous?

Moral and epistemic luck might still be salvaged if 'luck' is ambiguous. If it is, then one might defend the modal account for epistemic luck (say) and the control account for moral luck. This is, in fact, precisely what (Levy 2011) does. His reason is strictly brute intuition. After acknowledging that the modal account (a version of which he calls 'chancy luck') will not do for moral luck, Levy writes, 'the intuition that we are subject to luck in our constitutions is so strong that we ought to abandon it only if we are entirely unable to make sense of how this could be' (Levy 2011, p. 32). Instead of taking the truth of the modal or probability theories as a reason to reject moral luck, Levy posits an ambiguity.

One reason to be sceptical of the appeal to ambiguity is the worry that it is simply a way to rig the game when faced with apparent counterevidence. Kripke puts this point succinctly:

It is very much the lazy man's approach in philosophy to posit ambiguities when in trouble. If we face a putative counterexample to our favorite philosophical thesis, it is always open to us to protest that some key term is being used in a special sense, different from its use in the thesis. We may be right, but the ease of the move should counsel a policy of caution: Do not posit an ambiguity unless you are really forced to, unless there are really compelling theoretical or intuitive grounds to suppose that an ambiguity really is present. (Kripke 1977, p. 268)

As Kripke argues, adopting an ambiguity theory for luck is a last resort; at the very least it seems ad hoc. The only reason Levy accepts it is an antecedent commitment to the sensibility of both moral and epistemic luck. But this is the tail wagging the dog. We should first settle on what luck is tout court, and then investigate the utility of luck for understanding issues in axiology, metaphysics, and epistemology. Certainly in moral philosophy there are many critics who deny that moral luck is a genuine phenomenon; its existence is not a pre-analytic datum to be preserved at all costs. It is misplaced loyalty to carefully craft a theory of luck specifically to fit with prior commitments that luck has a vital role to play in philosophy.

An apt analogy is to the early development of probability theory by Cardano, Fermat, De Moivre, Pascal, and others. Probability theory began as a means of understanding good luck and bad luck in gambling. Gerolamo Cardano, for example, was a professional gambler. Although he wrote the first mathematical treatment of chance in 1525, his monograph on gaming, *Liber de Ludo Aleae*, was not published until long after his death. Cardano did not want his gambling opponents knowing his secrets (Large 2013, p. 429). By contrast, in the ancient world luck was seen as form of divine intervention into human affairs; the turn of Fortuna's wheel showed how firmly our fates are in the hands of the gods. As Menander wrote, '*Tuche* [Lady Luck] destroys all logic and runs counter to our expectations, planning other outcomes. *Tuche* makes all efforts futile... stop reasoning; for human reason adds nothing to *Tuche*' (quoted in Eidinow 2011, p. 49). Finding a way to make one's peace with luck, either by Stoic apathy or effectively propitiating the gods, was seen as critical to the good life. Roman gamblers regularly buried lead tablets, 'inscribed by magicians with visceral images and violent, detailed curses that summon demons to maim or kill competitors and/or their horses' (Sinclair 2014, p. 500) in order to redirect bad luck and win their wagers. If Cardano and the others had stayed loyal to the ancient idea that luck was fundamentally illogical and beyond the powers of human reason, the great discoveries of probability theory would never have been achieved.

As a philosophical strategy we should not be too committed to the notion that luck is essential to understand moral assessability, knowledge, or political obligation. Perhaps it is essential, but it may also turn out that a comprehensive understanding of luck dismisses those uses, just as probability theory defused the power of *Tuche*. If we have good independent reasons to accept polysemy for luck, then we might rely on that for separate philosophical domains, but we should be sceptical of an ambiguity theory purpose-built to reconcile philosophical theories of undecided virtue.

Are there really compelling theoretical or intuitive grounds to posit an ambiguity in the case of luck? One way to find out is to apply semantic tests for ambiguity and see whether 'luck' passes them. There is no one universally accepted test (see Sennet 2011), although one of the best received procedures (apparently originating in Quine 1960, qualifiedly endorsed by Sennet 2011, Dunbar 2001 and Gillon 1990) is the contradiction test.

5.1 Contradiction test for ambiguity

A sentence with a syntactic contradiction avoids a semantic contradiction only if some part of the sentence is ambiguous.

Consider these sentences.

1. This ball is not a ball.
2. Fido is a dog but not a dog.
3. Amber rented an apartment but did not rent an apartment.
4. Bruce Lee hit the man with a stick, but did not hit the man with a stick.
5. The barber shaves 20 times a day and yet always has a beard.
6. The man saw his wife drunk, but not drunk.

They are all superficially, syntactically contradictory. If the right parts are suitably disambiguated, then the sentences can turn out to be not only consistent, but true. It can be the case that the formal dance is not a sporting object. Fido is a domesticated carnivorous mammal, *Canis familiaris* (or *C. lupus familiaris*), with a long snout, an acute sense of smell, non-retractile claws, and a barking, howling, or whining voice, and is kept as a pet or for hunting, herding livestock, guarding, or other utilitarian purposes (OED), but Fido is not a male of the species. Amber is a landlord, not a tenant. Bruce Lee used his fists to hit a man who was wielding a stick. The barber is not miraculously hirsute—he merely shaves other men than himself. The sober man saw his drunken wife. While the contradiction test does not locate the source of the ambiguity or explain it, that does not matter for purposes of demonstrating its presence.

Sentences exhibiting other linguistic features such as vagueness will not pass the contradiction test (cf. Dunbar 2001, p. 2).

7. Your aunt is coming to tea.
8. Your aunt is not your aunt.
9. That shirt is purple.
10. That purple shirt is not purple.

The common view is that 'aunt,' is vague as to whether she is your mother's or your father's sister, or possibly even sister-in-law. This vagueness means that (7) may not convey enough information for a perspicuous interpretation. However, (8) is a clear contradiction that cannot be resolved by appeals to distinct meanings of 'aunt' in the manner of (1)–(6). Likewise, there may be dispute over the truth of (9) due to the vagueness of 'purple,' but there is no issue that (10) is contradictory and false.

How does 'luck' fare on the contradiction test? Not well. It seems to operate more similarly to 'aunt.'

11. Megan is lucky.
12. Megan is lucky but not lucky.

One might argue that in (11) that there is vagueness-driven uncertainty about whether Megan is genuinely lucky or not. Precisification about what it takes to be lucky might be needed to determine whether (11) is true. But (12) is straightforwardly contradictory. No matter how we sort out (11), (12) is still false. Make 'is lucky' as precise as you like, Megan still won't be lucky and not lucky.

Now, Megan could be lucky in one domain and not lucky in another. Perhaps she's lucky in love but not lucky at cards, or she is epistemically lucky but not morally lucky. Those uses do not demonstrate an ambiguity in 'luck' any more than 'Luke won' is ambiguous. It could be true that Luke won (at tennis) but false that Luke won (at poker). Neither 'won' nor 'is lucky' are ambiguous in these cases; both need some presupposed context to be truth-evaluable, but a lack of specificity is a separate matter from semantic ambiguity. A description of a missed connection may be unspecific, such as 'you were a tall rugby player on the District Line tube and we exchanged a look', but it is not ambiguous. It describes one unique person. Similarly, plenty of straightforward sentences can be pragmatically ambiguous when there are unstated presuppositions. Sennet (2011) notes that 'The cops are coming' can be an assertion, a warning, or an expression of relief, depending on the pragmatic context. Supporters of moral luck need full-throated semantic ambiguity for 'luck,' though, which does not seem available.

One possible objection is to suggest that it is sensible to say that 'Megan is lucky, but she's not *lucky*,' where the italics in the second occurrence of 'lucky' are meant to indicate a high degree of luck. Megan is mildly lucky, but not highly lucky. Thus one might think that (12) does not really contain a contradiction and therefore 'lucky' is truly ambiguous.

The preceding objection fails because gradability is not the same phenomenon as ambiguity, which is illustrated by the fact that *being lucky* is a gradable property on any fundamental account of luck.⁷ Under the probability theory of luck, the occurrence of a low probability, highly important event is luckier than the occurrence of a higher probability, less important event. For the modal theory, the occurrence of an actual event that did not happen nearby possible worlds is luckier than one that happens in every close world, but does not only in distant ones. The control theory of luck allows that a person's level of control over their actions or environment can come in degrees. Luck and control are supposed to be inversely proportional: the more control a person has, the less their successes are attributable to good luck and their failures to bad luck. The less control they have, the more their successes are attributable to good luck and their failures to bad luck.

⁷ See Ballantyne (2014) for a fuller discussion. All I mean by a "fundamental" account of luck in this context is the genus-level distinctions among the probability, modal, and control views, not the species-level distinctions among constitutive, outcome, circumstantial, brute, and option luck.

There is no natural reading of (12) that comes out true because the first occurrence of 'lucky' relies on one definition of luck and the second occurrence relies on a different definition, in the manner that 'this ball is not a ball' can be made true only by assigning two distinct senses to 'ball.' Any of the definitions for luck allow that 'lucky' is gradable, and to the extent that there is a reading of (12) that allows it to be true because of gradability, that reading in no way employs different definitions of luck, as genuine ambiguity demands. Analogously, 'John is tall but he is not *tall*' could be interpreted as true due to the gradability of 'tall'—the second occurrence of 'tall' indicates great height and the first does not—but its truth does not rely on diverse senses of 'is tall.' The claim that John is above average in height but not significantly above average still rests upon the basic meaning of tall as above average in height. Gradable terms are similar to demonstratives. Their meaning is partly determined by context of use, but is not ambiguous. Without the gradability activated by italics, 'John is tall but he is not tall' and 'Megan is lucky but not lucky' are both contradictory. In sum, 'luck' fails to pass a well-regarded semantic test for ambiguity, which casts serious doubt on the sustainability of the contention that 'luck' is really ambiguous.

6 Can we just talk about control instead of luck?

One might worry that the word 'luck' is used more or less stipulatively in the moral luck debate, and that no substantive theory of luck is on offer. Instead of niggling over the details of the nature of luck, perhaps one might simply rephrase the issue of moral 'luck' in terms of lack of control: it seems that if something is beyond our control, we are not to be blamed for it. But many things we do or fail to do are beyond our control, and so on. The intuition that we cannot be properly blamed for that which is beyond our control is what drives the moral luck debate. Maybe moral philosophy can get along fine without luck and simply talk about a lack of control instead.

I have two responses to this line of thought. My first concern with stipulatively treating luck as a lack of control is as follows. While 'luck' may not be ambiguous in natural language, that does not preclude philosophers from creating and employing multiple theoretical definitions of luck. Fans of moral luck can define 'luck' however they want. But then such definitions should then be seen for what they are—mere terms of art. Instead of being analyses of luck that are then used to shed light on moral or epistemic issues, such redefinitions of luck are shorthand for parts of more complex theories. Goldberg (2015) does essentially this with his 'unambitious' notion of epistemic luck, which he uses to describe a certain sort of explanatory failure but does not analyse in nonepistemic terms. In other words, we can call something moral luck if we wish, but as Lincoln (possibly apocryphally) noted, a dog has four legs even if you call a tail a leg. Calling a tail a leg does not make it one. Appealing to luck does not help us understand moral phenomena; at best it merely introduces a specialized technical term that abbreviates a complicated bit of moral theory, and at worst it only muddies the waters. In this case there is no philosophical compulsion to talk about luck at all in moral contexts.

The second problem is an *obscurum per obscuras* argument—replacing the obscure notion of luck with an equally obscure concept of control is not much of an advance. Working out the nature of luck is a tough business; different conceptions of luck work better for different philosophical projects. But it is hardly clear that we have much of a grasp on what control or lack of control really comes to. There are numerous cases in the psychological literature and in the history of science where people genuinely believe that they have a causal influence over the world that they cannot possibly have (e.g. rubber hand illusions) or sincerely believe they lack a causal influence that they most certainly do have (e.g. floating tables at séances).⁸ What's more, merely having a causal influence over an outcome is insufficient for control. My purchase of a lottery ticket is a causally necessary condition of my winning, but I do not thereby have control over winning. Even cases of great skill are not enough to have control of an outcome, as the previously discussed case of professional baseball players shows. The very best, most skillful hitters are not plausibly in control of whether they get a hit. In short, “control” is a muddle. While it is beyond the scope of this paper to work out whether control is a useful notion or even a salvageable one, at the very least shifting discussion from luck to control does not look like a promising strategy.

7 Conclusion

Moral luck, luck egalitarianism and moral privilege not real under all theories of luck. They are legitimate citizens of the moral universe only if they are fitted with a bespoke theory of luck understood as a lack of control over certain events or facts. However, the control theory is not suitable for other philosophical inquiries into luck, as in epistemology. ‘Luck’ is not semantically ambiguous in natural language, which obliges supporters of moral luck to either defend the control view against all comers or concede that moral luck is simply an ellipsis or a truncation of a complex part of moral theory, but not a real thing in its own right. No one yet has attempted such a defense or made such a concession. The numerous supporters of moral luck cannot continue to ignore the nature of luck itself, or naïvely assume the truth of the control theory. It may well be that luck *tout court* is simply a way of framing our understanding of certain events, a *façon de parler* more than a philosophical discovery, in which case moral luck has no important role to play in ethics.

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⁸ Wegner (2002) chapter 1 has a nice discussion of many of these.

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