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Moral luck and the morality system

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Few things under the philosophical sun are entirely new. The problem of moral luck, in something like its modern form, was anticipated by Adam Smith (1759/1976, II.iii.2).[1] It is beyond reasonable doubt, however, that the specific impetus behind the extensive contemporary discussion of moral luck was a symposium on moral luck by Bernard Williams and Thomas Nagel, published in 1976 (Nagel 1976; Williams 1976).[2] The phrase 'moral luck' is also owed to Williams.

What is less obvious, but still strongly arguable, is that the 'moral luck' debate that has flourished since then is largely inspired by Nagel, not Williams. Though bits and pieces of Williams' article are routinely referred to, and sometimes receive substantive discussion—aspects of the Gauguin case, or the 'agent-regret' experienced by the lorry-driver—there is something elusive about Williams' treatment of moral luck, which has obstructed its comfortable incorporation into the moral luck literature.

Part of the problem consists in the obliqueness of Williams' argumentative strategy. Most of the essay, by his own admission, is concerned with a more general phenomenon, namely, the rationality or otherwise of retrospective justification for the decisions one makes. It is only towards the end of the essay, in fact, that Williams addresses the specific lessons for morality, and this part of his argument is strangely compressed. Both the connections between the more

general phenomenon of retrospective justification and morality, and the nature of the damage which is supposedly inflicted upon morality, remain imperfectly understood. Or so I contend.

This essay has two principal aims. First and foremost, I take a fresh look at Williams' argument in 'Moral Luck', to assess its defensibility. Second, I investigate how Williams' treatment of moral luck shapes and informs the wider assault on the 'morality system' which reached its fullest expression a few years later, in *Ethics and the Limits of Philosophy*. I think we can learn something about both of Williams' projects—his defense of moral luck and his attack on the morality system—by seeing how each of these projects contributes to the other.

The argument will be structured as follows. The 'Moral luck and the morality system' section will provide some basic background to Williams' argument. 'The Gauguin case' section will outline his central case, the Gauguin case, and note some of its important features. Across the 'The non-moral value interpretation', 'The self-realization interpretation', 'Justification and regret', and 'Regret, transformation, and the means and ends of justification' sections, I will outline six interpretations of Williams' position. I quarrel with all of them, though some of these are admittedly more promising than others. The 'Moral luck and the morality system' section relates these reflections to Williams' broader project in *Ethics and the Limits of Philosophy*. The 'Conclusion' section states a brief conclusion.

Moral luck and the morality system

Both Williams and Nagel wish to question the claim that '*moral* evaluations, properly understood, do not apply to those aspects of a situation that are matters of luck' (Williams 1993, 252). But they proceed differently.

In the cases Nagel is centrally concerned with, it is the *degree* of agents' blameworthiness which appears to differ, depending on luck. One well-known example is the *Assassins* case: two assassins make a (wrongful) attempt on someone's life, but only one of them is successful. Another popular example is the *Drivers* case: two drunken drivers drive home, but one of them unluckily kills a pedestrian who happens to be in the wrong place at the wrong time. Since these differences between the outcomes of the attempts to kill, on the one hand, and the drunken journeys home, on the other hand, lie beyond the control of these agents, the question arises why the individuals within these pairs of agents collect different degrees of blameworthiness. 'Anti-luckists', as I shall refer to them, deny that luck can make any difference to these agents' degree of blameworthiness. Those who oppose anti-luckism—'anti-anti-luckists'—are by contrast prepared to uphold a difference in blameworthiness between the agents in these cases. Anti-anti-luckists say that the assassin whose attempt results in murder and the assassin whose attempt results in only a near miss are relevantly different: the involvement of luck does not dislodge the verdict that the successful assassin is more blameworthy than the unsuccessful assassin. Similarly, it may have been beyond the control of the unlucky drunk driver who kills a pedestrian that he was confronted by a pedestrian, when the lucky drunken driver encountered only empty roads. Nonetheless, anti-anti-luckists will say that the bad luck of the unlucky driver does not prevent us from attaching more blame to him than to the lucky driver. This driver is responsible for a death, after all, while the other driver is not. Anti-anti-luckists owe us a fuller story, of course, about why they can afford to remain untroubled by the fact that merely lucky differences between agents can sustain such serious differences in ascriptions of blameworthiness, but that story cannot be told here.[3]

Williams is not obviously engaged with these familiar debates. His principal aim in 'Moral Luck' is to show, *inter alia*, that it may be a matter of luck *whether* moral evaluation applies in the usual way to an agent. Nagel, by contrast, is not fundamentally concerned with cases involving agents who stand any serious chance of standing outside moral evaluation altogether. The lucky drunken driver and the unsuccessful assassin are still blameworthy, only not as blameworthy as their deadlier counterparts. Nagel's concerns might therefore be described as being roughly internal to morality, whereas Williams' concerns are concerned roughly with the limits of morality, on a certain construal of what morality is. Williams' leading contention is that certain outcomes, arrived at in certain circumstances, may help to protect agents from the sort of unadulterated moral assessment to which they would otherwise be exposed. Having sketched a case in which an agent can somehow escape morality's orbit—we turn to the details of this case shortly—Williams' main business is then to reevaluate the strength of the moral forces that were supposed to prevent that from happening.

I will now try to fill in the picture of Williams' critical target (cf. Williams 1981a, 20–2). If it is morality which lies in his critical sights, what does he take morality to be? Williams' particular critical target in 'Moral Luck' is the Kantian conception of morality. Williams dispenses with much detailed description of that project: what matters, for his purposes, is that Kantian morality has universal scope, and issues categorical obligations. Moral requirements apply to agents regardless of their preferences or personal aims. Kantian morality does not offer any sort of inducement to agents; moral requirements apply categorically. Since Kant takes moral requirements to be categorical, and also adheres to a strong form of the 'ought' implies 'can'

principle, it follows that these requirements must be such that they can be perfectly followed by the agents to whom they apply. But moral requirements cannot be perfectly followed if successful compliance with them depends upon the cooperation of factors which lie beyond agents' control. As a corollary of these other propositions, morality must be entirely resistant to luck.

Williams argues that the appeal of the Kantian vision goes beyond the claim that it refuses to fudge or distort what we intuitively perceive to be the categorical nature of morality. For Williams, Kantian morality is not just inescapable, but *seductive*, since it offers us a way of understanding ourselves, and of arranging our relations with others, that is immune to luck. The appeal of that thought requires more than an acknowledgment of the inescapability of morality; it involves an awareness of morality's fundamental *importance*. For its advocates, Kantian morality does not only refuse to sell morality short but also refuses to sell *us* short. *We* can be vindicated in ways that bypass the disturbing vicissitudes of fortune that infect our non-moral practical lives. That offers us consolation for the unfairness and randomness of the world (Williams 1981a, 21).

In *Ethics and the Limits of Philosophy*, we are given a fuller exposition of the morality system which is presented more embryonically in the earlier essay. But, the essentials are more or less intact in the earlier version. Though the morality system in the later work has an ostensibly larger scope, and includes utilitarianism as well as Kantianism, Williams still describes utilitarianism as a 'marginal member of the morality system' (Williams 1985, 178). As before, the core of the morality system is Kantian. The 'Moral luck and the morality system' section enlarges on this

picture, and says something more about the relationship between Williams' strategy in 'Moral Luck' and his strategy in the later work. But we have enough to go on for the time being.

The Gauguin case

Most of Williams' discussion, and of the subsequent discussion of Williams' article, is focused on the *Gauguin case*. In Williams' simplified version of the story, a budding painter, Gauguin, abandons his family to pursue his artistic dreams in Tahiti. At the time the decision is made, Gauguin does not know whether he will be a successful artist. If he is successful, however, then he will be in a significant sense immune to the moral complaints to which he would otherwise be exposed. Moreover, Gauguin's non-moral justification for what he does is then supposed to put pressure on the Kantian picture. This is Williams' argument in outline. However, there are five additional significant details about this case, which we need to bear in mind.

First, Williams does not make the straightforward claim that Gauguin will be justified by his future artistic success, but, rather, and more subtly, that he has a basis for the thought that what he did was justified. If, by contrast, he fails, then he lacks any basis for that thought (Williams 1981a, 23).

Second, Williams tells us that Gauguin might experience two types of failure (1981a, 25–6, 36). There will be *extrinsic* failure if Gauguin's talent is not put to the test through accident or misfortune: if he suffers a shipwreck on his way to Tahiti, for example. By contrast, he will experience *intrinsic* failure if his talent is put to the test but then proves insufficient to sustain his original aim. The contrast between these two types of failure is accompanied by a distinction concerning the nature of Gauguin's relationship to the missing justification. If the failure is

extrinsic, then Gauguin will lack a justification, but the failure will not *unjustify* him. If the failure is intrinsic, then the failure will run deeper; *he* will be unjustified, not just someone who lacks a justification. As Williams puts the point: 'what would prove him wrong in his project would not just be that it failed, but that he failed' (1981a, 25).

Third, Gauguin is not depicted as simply an amoral agent who cares about nothing except his art, and who is prepared to go any lengths to pursue it. Gauguin is, rather, someone who 'shares the same world of moral concerns' as the rest of us (1981a, 38). The risk Gauguin runs, Williams tells us, 'is a risk within morality, a risk which amoral versions of these agents would not run at all' (1981a, 38). This more refined characterization of Gauguin is important, for it may be able to sidestep the possibility that Gauguin's partial exit from the moral world will say much more *about him* than it does *about morality* (Nagel 1976, 137, 142, 1979, 28, n. 3). The challenge for Williams is complex: Gauguin needs to be sufficiently removed from morality's orbit if his actions are going to teach us something about the *limits* of morality, but he needs to be sufficiently aligned with morality if his actions are going to teach us something about the limits of *morality*.

Fourth, the Gauguin case does not attack only the morality system, which is largely concerned with impartial morality, but also implicates wider notions of the ethical, which will 'include … a concern for people directly affected by one's action, especially those to whom one owes special care' (Williams 1993, 255). Gauguin's decision is, after all, to abandon his family, not to neglect his duties of beneficence towards strangers.

Fifth, there are other cases of moral luck to which Williams alludes. One of them concerns Tolstoy's character Anna Karenina (Williams 1981a, 36–7). In Tolstoy's novel, Anna's elopement with Vronsky, and her consequent estrangement from her family, fails to lead to happiness with him. Anna's life ends, and ends in failure. Had the relationship with Vronsky worked out,[4] however, Williams implies that Anna would have been in a *prima facie* position to collect, just like Gauguin, a justification for her decision. Most of the following discussion will be concerned with the Gauguin case, but Anna's case needs to be accommodated as well.

Over the next four sections, I will outline six different interpretations of what Gauguin's justification consists in. I take myself to be answerable to two types of constraint. First, I want to identify what, according to Williams, Gauguin's justification amounts to, in the light of his commentary and other textual evidence available to us. Call this the 'internal constraint'. Second, I am interested in how plausible the interpretation is in its own right, or whether defenders of the morality system targeted by Williams should be troubled by it. Call this the 'external constraint'. It is difficult to advance an interpretation which perfectly satisfies the internal constraint, though some interpretations fare better than others. As we shall see, even when we have managed to do that, the questions for Williams are far from over.

The non-moral value interpretation

Williams' Gauguin ends up producing great art, which retrospectively justifies him for abandoning his family. This relatively simple line of thought yields a first interpretation:

Non-Moral Value Interpretation:

Gauguin's decision to abandon his family is justified by the non-moral value of what he goes on to achieve.

The Non-Moral Value Interpretation boasts two significant advantages. First, it clearly accommodates the importance of what Williams refers to as the 'determination by the actual' (1981a, 30). Moreover, to be justified, Gauguin must actually produce great art; good intentions are not enough. This interpretation has a secondary advantage as well: it serves as an example of the gratitude we should feel that morality does not always get its way (1981a, 23, 37). On this view, Williams implicitly expects us to agree that perfect conformity to morality will have the effect of inhibiting the generation of significant non-moral goods, such as great art.

In short, the Non-Moral Value Interpretation has quite a bit going for it. Even so, it faces severe interpretive problems.

First, it fails to explain why Williams decides to place such heavy emphasis on the distinction between intrinsic and extrinsic failure. If Gauguin does not produce great art, then it should not matter to proponents of the Non-Moral Value Interpretation how and why that failure occurred. If it is only the product that matters, when all is said and done, then it should not matter to the Non-Moral Value Interpretation whether Gauguin's failure is intrinsic or extrinsic.

The second problem is that Williams explicitly denies that the value of Gauguin's art is, in fact, doing the justificatory work; he denies, that is, that the Gauguin case exemplifies the view 'that moral values have been treated as one value among others, not as unquestionably supreme'

(1981a, 37). This denial is explained by Williams' determination to depict Gauguin as a *moral* agent who is running a *moral* risk (1981a, 37–8).

A third problem is that the Non-Moral Value Interpretation does not obviously accommodate the Anna Karenina case. Anna's luck, if she had experienced it, was only ever going to be the luck of self-fulfillment.

The self-realization interpretation

The Non-Moral Value Interpretation cannot be the full story, though it might continue to be part of it. Taking our cue from Anna's case in particular, here is a second interpretation:

Self-Realization Interpretation:

> Gauguin's decision to abandon his family is justified by self-realization in his projects, and perhaps, in turn, by the integrity upheld by such a life.

The Self-Realization Interpretation gets a number of things importantly right. First, it obviously accommodates Anna's case as well as the Gauguin case. Second, it neatly dovetails with other prominent strands of argument we associate with Williams, concerning integrity and his protests against the various confinements imposed on us by the morality system (Williams 1973, 93–118, 1981b). Third, the Self-Realization Interpretation is nicely equipped to deal with the ethical breadth of Williams' target. If Gauguin is retrospectively justified by his self-realization, then he will be exempted from the demands of the broadly ethical life, not just the narrower obligations envisaged by the morality system.

The Self-Realization Interpretation is not without problems, however. There are three main issues.

First, the Self-Realization Interpretation is not deeply invested in the success condition which is so central to the Gauguin case. Other implications immediately ensue from that failure: the Self-Realization Interpretation will struggle to find gainful employment for the role of luck and the importance of retrospective justification, and it will not explain the significance of the distinction between intrinsic and extrinsic failures of luck. Imagine a further fictional character loosely based on Gauguin, whom we may call *Gauguin 2*. Gauguin 2 wishes to spend his life painting, rather than producing valuable paintings as a result. If Gauguin 2 is left free to paint, then he expects to achieve self-realization. Most people might find it frustrating to spend their days painting, but without distinction. This is not true of Gauguin 2. He merely has eccentric standards for self-realization. Being a bad painter, even if it is painting that one is pursuing, does not necessarily prevent an agent from achieving self-realization.

Second, the Self-Realization Interpretation does not easily uphold Williams' avowed interest in agents who are running moral risks. Gauguin 2 has the choice between moral duty and creative effort, however mediocre the results of the latter are likely to be. But agents who ignore their moral obligations to do something which would achieve their self-realization will often be agents who have already negotiated their exit from morality. This is particularly the case if there is not any substantial provision for luck. Gauguin 2 does not have to wait to see what happens: he is ready to leave the moral fold now. But the 'wait and see' element is important to Williams'

calculations since it gives him greater leverage to insist that these agents, at the time their initial decisions are taken, are still firmly in the moral fold, and are committed to remaining within it unless their actions have certain hard-to-predict consequences.

Third, the Self-Realization Interpretation does not have much to say about the connections of these issues to another important constituent in Williams' argument, concerning regret. I turn to this issue next. Its introduction is already overdue.

Justification and regret

We need to take a closer look at the phenomenology, or how things are supposed to stand on the ground, when Gauguin has achieved success, and when, as a result, he acquires a justification for his decision. We already know that, on Williams' view, Gauguin's success has somehow catapulted him beyond the orbit of ordinary moral criticism. Gauguin is now no longer vulnerable to the unadulterated forms of moral criticism to which he would have otherwise been exposed. But we have done little up to now to examine what the value of this justification can be to Gauguin.

What, in acquiring justification, is Gauguin supposed to gain? Is he envisaged as no longer caring about abandoning his family? Or is he someone who is no longer afflicted by the heavily moralized emotion of *guilt*, though not necessarily drained of *concern*? Alternatively, does his success mean that he now possesses the *right* to no longer care about abandoning them, or the right not to feel guilt for abandoning them, even if in fact he does continue to experience these feelings? Or are most of the implications in fact relevant to his family, rather than to him? Do *they* no longer have the right to complain about his abandonment of them?

Perhaps, even though his family were initially wronged, they fail to take into consideration the fact that Gauguin is justified in what he has done. But Williams is emphatic that Gauguin's success does not exempt him from his family's unhappiness: they can go on complaining (1981a, 23–4, 36–7). So what is the point of the justification he has gone to such lengths to secure if it gives them no reason to retire their complaints about him?

These questions are actually sharpened by Williams' remarks in his later 'Postscript', in which he revisits the argument presented in 'Moral Luck':

> [W]hat is the point of insisting that a certain reaction or attitude or judgment is or is not a *moral* one? What is it that this category is supposed to deliver? … [I]nvoking this category achieves absolutely nothing, unless one has some account of the singular importance of morality in this restricted sense. I … cannot see what comfort it is supposed to give to me, or what instruction it offers to other people, if I am shunned, hated, unloved, and despised, not least by myself, but am told that these reactions are … not *moral*.
>
> (1993, 254)

In the present context, we should be puzzled by Williams' remarks. There are two relevant points.

First, if the *content* of the complaints coming Gauguin's way is all-important, rather than the fact that they exemplify specifically *moral* criticism, we face additional pressure to explain how and why Gauguin is benefited by his acquisition of a justification that reduces his vulnerability to moral criticism.

Second, if we can show that Gauguin's justification has somehow defeated the full undiluted moral force of his family's complaints, then it does indeed seem to follow, contrary to Williams' argument, that there is *something* special about morality. There must be something special about morality if there is something special about having a defense against undiluted moral criticism—which is precisely what Gauguin gains if he succeeds.

Williams' discussion of regret, and agent-regret in particular, might help us to pick a path out of this maze. The general, constitutive thought which lies behind expressions of regret is something like 'How much better if it had been otherwise' (1981a, 27). Williams is especially interested in a more specific form of regret: 'agent-regret'. Agent-regret has an ineluctably first-person character, concerning what the agent has *done*, though perhaps not voluntarily. Agent-regret is further distinguished by certain attitudes and emotional inflexions. Williams' central example of someone who experiences agent-regret is the lorry-driver who accidentally, and through no fault of his own, runs over and kills a child (1981a, 28). The lorry-driver is not to blame, but is anguished by what he has done. He experiences acute regret for being at the wheel when the child crossed his path. He has a psychological and emotional involvement with the fatality in ways from which he cannot easily detach himself, and which goes beyond the more impersonal sort of anguish we might associate with a bystander.

An important lesson provided by the lorry-driver case, as Williams sees it, is that it exposes the realm of strictly voluntary agency, so cherished by the Kantian morality system, as relatively superficial (1981a, 29, 1995a). Our various involvements with the world cannot be so primly

contained. But the role which agent-regret plays in our attempts to make sense of Gauguin actually places Gauguin in a striking *contrast* with the lorry-driver: unlike the lorry-driver, Gauguin does not regret what he did because his project turned out successfully. It is the absence of this sort of regret, then, which is meant both to justify him in what he did and to explain why this justification will presumably provide him with some sort of psychological protection against his awareness of the costs he imposed on his family.

There is a further feature of Williams' discussion which fills out Gauguin's moral-cum-psychological profile in a promising way. Gauguin's profile must somehow combine his moral sensitivity with the intelligibility of his departure, in certain circumstances, from the grip of morality. The added feature concerns the *conditional* nature of Gauguin's agent-regret: we are told that Gauguin *will* experience agent-regret, *unless* his project turns out successfully (1981a, 30). As a result, there need be no denial that Gauguin is still involved in the moral world. The fact that he will be left with acute regrets if his project is unsuccessful, with nothing to place alongside those regrets, confirms that he is still a member of that world. Yet, the fact that he will be unable to regret what he did if his artistic project turns out successfully is also evidence that, despite his engagement with moral concerns, he may yet be able to escape from the morality system.

These reflections suggest a third interpretation:

***Absence of Regret Interpretation*:**

> Gauguin's justification of his decision to abandon his family is constituted by two facts about that decision: first, his decision being such that he knows that he will not regret making it if he is successful; and second, the decision being such that he knows that he will regret making it if he is unsuccessful.[5]

The Absence of Regret Interpretation provides a better account of the composition of Gauguin's moral personality; it is sensitive to the roles of luck and retrospective justification; and it also fills in some much needed further psychological details about the benefits of the justification which Gauguin hopes to acquire. However, one immediate problem with the Absence of Regret Interpretation should persuade us to seek a more refined version of it.

The problem is that Williams' confident claim that Gauguin's agent-regret is conditional does not explain why Gauguin's regrets do not spill beyond this conditional structure. The very *neatness* of this conditional structure is at odds with Williams' usual insistence on psychological complexity and emotional loose ends. How does Gauguin know that he will not experience such regret? Perhaps he is banking on both things: on being both artistically successful and also on the cauterization of his regrets as a result of being successful. But he is not in a position to know that artistic accomplishment will lead to the cauterization of his regret. Upon closer examination, these things look like independent variables, not distinct elements in a single structure that contains them both.

Correlatively, if Gauguin *thinks* he is in a position to vouch for this conditional structure, it is natural to suspect that he has *already* washed his hands of his family. He has already disinvested

in them. His behavior will say more about him than it does about the limited authority of morality, thus confirming Nagel's original worry about him.

These are serious worries. So let us imagine that Gauguin, buoyed up by the success of his project, does not *in fact* experience regret over the decision he made, and that this lack of regret is *in fact* explained by his success. Gauguin will not in fact be in a position to know this at the time he makes his initial decision, but he will know it after he has achieved success. If we assume these facts, we now have a fourth interpretation:

***Modified Absence of Regret Interpretation*:**

> Gauguin's justification of his decision to abandon his family is constituted by the fact that he does not regret that decision, if he is successful, in a way which is due to this success. If his decision does not lead to artistic success, then he will be left with only regrets and guilt for the decision he made.

The Modified Absence of Regret Interpretation does not pretend that Gauguin's decision already embeds this conditional structure. The proof is in the pudding, not in the recipe which he concocts in advance. Nonetheless, the Modified Absence of Regret Interpretation is still open to other worries, which emerge when we pursue a more extensive comparison between Gauguin and the lorry-driver.

The fact that the lorry-driver does not lack justification for what he did does not spare him from agent-regret for what has happened. The driver may be blameless, but that fact alone will not render him immune to feelings which are phenomenologically akin to guilt or moral anguish; he

will still feel responsibility for the outcomes he helps to cause. But if this is so, we suddenly have the makings of a pairwise comparison between him and Gauguin which is not the one Williams had in mind. For Gauguin, Williams tells us, does not lack justification for what he does, *if* he is successful. If he has such a justification, then he is not blameworthy in the normal way. But he might still be vulnerable to a form of agent-regret. After all, *he* was the one who abandoned his family, even if, as things have turned out, he did not lack a justification for doing so. Similarly, the lorry-driver kills the child, even if, as things stood, he was not to blame, and did not lack a justification for being at the wheel at the time. So why doesn't Gauguin, like the lorry-driver, *also* experience agent-regret? Williams invites us to look at the lorry-driver through the lens of voluntary agency. But why not look at both the lorry-driver *and* Gauguin through the lens of justification instead? If the lorry-driver's possession of a justification does not spare him agent-regret, then what prevents us from reaching exactly the same conclusion about Gauguin?

One asymmetry between Gauguin and the lorry-driver is that, while it would be clearly inappropriate to pin any blame on the lorry-driver, Gauguin can still be blamed by his family. But *this* particular asymmetry between Gauguin and the lorry-driver does not imperil the deeper symmetry; if anything, it makes it more tempting to affirm it. If we expect the lorry-driver to feel agent-regret, despite his blamelessness, then we would, if anything, appear to have more rather than less reason to expect Gauguin to feel agent-regret as well, especially in light of the fact that he can still be blamed by his family.

Presumably Williams' answer would be that these agents stand in different relations to justification. The lorry-driver was blameless, and he was justified in driving at the time. Given

what the lorry-driver has caused to happen, however, he understandably wishes things had turned out differently. He wishes that he had not been at the wheel that day. He would, as it were, willingly trade in his justification for a state of affairs in which he did not have to appeal to it. By contrast, Gauguin does not seek to trade in his justification. His justification, after all, is constituted by his absence of regret. He thinks he has been justified in the decision he initially made, which is just another way of saying that he does not regret making it.

This response does not disperse all the relevant worries. Gauguin's decision imposes costs on his family, which they can complain about. Gauguin might not regret his decision all things considered. But what about the *means* he employed to his ends? Does he regret *them*? On the one hand, his ends had to be secured by the means he employed. They were not going to be realized just by themselves, without taking deliberate steps to achieve them. Perhaps, given this relationship between means and ends, Gauguin regrets neither the ends nor the means. On the other hand, the means he took are distinct from the ends for the sake of which he acted, and may qualify for attitudes that differ from the attitudes Gauguin takes toward his ends. While Gauguin does not regret his decision all things considered, or experience all-in regret, that still leaves room for him to regret the means he took to achieve his ends.[6]

Which resolution of this question does the Modified Absence of Regret Interpretation favor? There is a problem either way. Imagine that Gauguin does not regret his decision to abandon his family since he has achieved what he set out to do, but he does regret the means he took to achieve his ends. The combination of non-regret over ends and regret over means exposes this Gauguin to the risk of psychological *incoherence*. The mere fact that Gauguin experiences

conflict and ambivalence is not problematic. But if Gauguin thinks that there are strong moral reasons not to abandon his family such that he regrets taking these means to his ends, then it is difficult to square these thoughts with the further thought that he was, after all, justified in abandoning them.

Imagine instead that the means and ends are more tightly stationed together within a single justificatory structure: because Gauguin does not regret the ends, he also fails to regret the means. But now it is difficult to avoid the thought that, at the time when the decision has supposedly been retrospectively justified, Gauguin has simply withdrawn his original concern for them. On this showing, Gauguin is not as firmly stationed in the moral fold as Williams wishes us to suppose.

There is another problem with the Modified Absence of Regret Interpretation, concerning the external constraint rather than the internal constraint. The failure to experience regret may be simply a poor guide to whether a decision has been justified. How can these agents' beliefs that they have acquired such a justification often *fail* to say more about them than it does about morality? The appeal in the first instance is to a psychological fact: when certain outcomes are secured, Gauguin no longer regrets what he did. So he is off the hook. But why is that? He may *think* he is off the hook. But the morality system does not depend on the actual acknowledgment of its authority. The fault may lie in agents, rather than in the demands that morality makes of them. Now while there is plenty of evidence that Williams is prepared to challenge the categorical nature of moral requirements (Williams 1981c, 1995b), he can hardly fail to agree that, at least in some circumstances, not caring about morality says more about the agents who do

not care about it than it does about the limited authority of morality. What Williams needs to do is to convince us that Gauguin stands on the right side of this line.[7]

Regret, transformation, and the means and ends of justification

One problem with the Modified Absence of Regret Interpretation is that it implicitly assumes a static moral psychology: it is difficult to make sense of the description of Gauguin as someone who is morally attuned to morality, while also arranging, though conditionally, his departure from it. A further element in Williams' argument may help.

This further element concerns the *transformation* of Gauguin's perspective as a result of the success of his project. Gauguin may lack access to a perspective that can justify, or even fully make sense of, his abandonment of his family at the time of his original decision. That perspective is acquired only if and when his artistic project bears fruit. Though Gauguin can only deliberate *from here*, he can still anticipate, if he is successful, an alteration in his 'stand-point of assessment, [which] will be from a life which then derives an important part of its significance for him from that very fact' (1981a, 35). Yet, the materials for the justification that he collects further down the line will not be in place until this transformation in his perspective actually occurs. It is also a matter of luck whether he will end up with this transformation of perspective. This is not something he can know at the time he makes his original decision.

This additional ingredient in Williams' argument yields a fifth interpretation:

Transformation Interpretation:

> Gauguin's decision to abandon his family is justified by his evaluative transformation, which secures for him a new perspective which releases him from all-in regret about what he did.[8]

In respect of the internal constraint, the Transformation Interpretation turns in a good performance. It clearly provides for luck, since the transformation in Gauguin's perspective is a matter of luck. This interpretation also provides to some extent for the significance of the distinction between intrinsic and extrinsic failure. If Gauguin suffers bad extrinsic luck, the thought that he *might* have been right to attempt his project is still available to him, since this thought can be accompanied by the thought that there is some justifying perspective that he *might* have successfully occupied. If he does not occupy this perspective, then he will lack a justification, but he will not be straightforwardly *unjustified*. If he suffers bad intrinsic luck, by contrast, then he will know that he was simply wrong to think that there was any such perspective that he might have occupied, such that he was justified in what he did, consistently with him having these projects and being the sort of person he was in the first place.

How about the relationship between means and ends? Again, the Transformation Interpretation sheds further light on these issues. Here, we need to distinguish between the roles and possibilities associated with each perspective. Gauguin's original perspective is one which reflects a genuine concern for the moral costs of what he does. That perspective can endure, since there is no reason to deny that Gauguin still enjoys some sort of imaginative and emotional access to it, even after his evaluative transformation. From this original perspective, Gauguin regrets the means he employed to his end. From the new, transformed perspective, however, Gauguin is in a position to affirm both the justifiability of the end he pursued, and the means he took to attain it.

Thus, the Transformation Interpretation avoids psychological incoherence because the ends are connected to the means in the right way under each perspective. The earlier perspective finds both the means and the end problematic, whereas the later perspective vindicates them both. The Transformation Interpretation also allows Gauguin to be depicted as a full member of the moral community, at least at first. Moreover, it makes sense of what his justification achieves for him, given the arrival of his new perspective. At this later point, he endorses both the end, and the means he took. He may continue to be concerned for his family—the Transformation Interpretation does not imply that Gauguin can simply 'switch off'—but these concerns should not get him to think that, after all, he was wrong to take these means to his end. Gauguin is still likely to experience some psychological ambivalence, as he shuttles between the two perspectives which are available to him, but this is not a refutation of the Transformation Interpretation. It simply confirms the emotional complexity of the case. It also allows us to make sense of the subtlety of Williams' formulation of what Gauguin's success will achieve for him: it will give Gauguin a basis for justification, rather than, more simply, a justification. Having a basis for justification is consistent with his ability to grasp, and to regret, the costs which his decision has imposed on his family.

The Transformation Interpretation can be restated to make these features more explicit, providing us with a sixth and final interpretation:

***Improved Transformation Interpretation*:**

> Gauguin's decision to abandon his family is justified by his evaluative transformation, which (a) secures for him a new perspective vindicating his end, releasing him from all-in regret about what he did, as well as directing him not to have all-in regret for the means he took to his end, and (b) supplants his original perspective, according to which the end for the sake of which he acts is not yet vindicated, and which renders the means he takes to that end morally problematic.

The Improved Transformation Interpretation is probably the most refined interpretation we can recover from Williams' argument, and indeed the interpretive trail will stop here. It remains vulnerable to certain problems.

One problem with it arises out of another possible trajectory for Gauguin. Let us call this version of our central character *Gauguin 3*. Gauguin 3 devotes his life to artistic efforts which come to very little. At first, he is disappointed with his returns, and experiences regret. But then he comes to the view that the journey was still worthwhile, even though the destination was not what he thought it would be. As a result, his ultimate regrets evaporate. The perspective of Gauguin 3 has been transformed: his original thought that his decision would be justified only by the results now yields to the thought that it is the quest for results which really matters. Gauguin 3 seems justified by the Improved Transformation Interpretation. Is this the right result? It offers little scope for Williams' emphasis on the 'determination of the actual', and it does little to accommodate the thought, conveyed by the original Gauguin case, that cases of moral luck are cases in which moral commitments can be defeated only by non-trivial achievements. Gauguin 3 will have sidestepped these challenges by simply revising his thoughts about what does the justificatory work. Now it need not be conceded that a mere effort of will can produce this

transformation in the perspective of Gauguin 3. That would indeed look cheap, an instant recipe for backsliding and *ex post facto* rationalization. But even if Gauguin 3 can boast the luck of having his perspective transformed in a non-voluntary way, his case still does not appear to provide a strong challenge to the morality system.

The lesson readily generalizes. Not every transformation of perspective can expect to be taken equally seriously by the morality system. We can have deteriorations of perspective that morality should dismiss, as well as alterations of perspective that might issue it with a sturdier challenge. Williams simply does not give us enough to work with here.

A second problem with the Improved Transformation Interpretation is that we are forced to settle for a hazy account of Gauguin's grounds for undertaking the project in the first place. According to the Improved Transformation Interpretation, at an earlier point Gauguin can count as a full-blooded moral agent. His art-pursuing end is not yet vindicated. It is unclear without additional commentary why Gauguin's concerns for the costs he imposes on his family do not stop him from making the decision to abandon them, or why, for that matter, and from his earlier perspective, the non-vindicated end stands any chance of being vindicated. If the means he takes to his end are not yet justified, how can he take them while retaining the understanding of himself as a moral agent, answerable to moral concerns?

A third problem is that, even though Gauguin may to some degree be able to shuttle back and forth between the earlier perspective and the later perspective, it is nonetheless the later perspective, not the earlier perspective, with which he comes to be ultimately identified.

According to this later perspective, Gauguin can affirm the end for the sake of which he acted, and also the means he took to those ends. The fact that Gauguin embarked on this biographical journey from a perspective that was firmly stationed within morality does not change the fact that this journey brings him to a place where those concerns no longer register with him in the same way.

Of course, this is the very point Williams wishes us to accept. But the challenge for him is to persuade us of the aptness of his preferred description of the case. Williams thinks that Gauguin is originally stationed within morality, but, due to moral luck, finds himself beyond morality. The morality system holds instead that Gauguin is not someone who has *escaped* morality, but who has simply *left* morality. Gauguin *had* moral concerns but *no longer* has them in the same way. The Improved Transformation Interpretation does not obviously subvert the morality system's preferred description of events.

Moral luck and the morality system

In *Ethics and the Limits*, the primary feature of the morality system, around which everything else turns, is the category of moral obligation. Williams' task is to investigate, and then discredit, 'the intimidating structure that morality has made out of the idea of moral obligation' (1985, 182).

An immediate accompaniment to the primacy of obligation—its partner in crime, perhaps—is the primacy of the central response to the non-satisfaction of obligations: this is moral blame. Another accompaniment to the primacy of obligation is the claim that obligations claim the highest deliberative priority (1985, 183). If obligations enjoy this priority, then it can be no

casual matter if a moral obligation ceases to apply to us. Any explanation of why a moral obligation is thus defeated can only be explained by the application to us of another demand claiming at least as high a deliberative priority as the original, defeated demand. But then we may seem forced to conclude that only an obligation can beat an obligation, and, more generally, that the items competing hardest for our attention in deliberation are all carved out of the same obligation-focused structure: thus, the morality system reflects the 'obligation-out, obligation-in' principle (1985, 174–81).

Williams tells us that moral obligation is the category that connects deliberative priority to a further category in the morality system that he describes as *importance* (1985, 182). In the morality system, importance is settled, first and foremost, by the satisfaction of moral obligation. It need not be denied that agents can continue to value their projects, but these can only be pursued on terms which are consistent with moral obligation.

Williams argues that the morality system over-reaches itself. There are three main strands to his argument.[9]

The first strand is recognizably Humean: we need morality, and the predictability afforded by a reasonably high level of compliance with morality, to protect our vital interests. These interests generate immediate obligations against violence and assault, and against lying in certain circumstances (1985, 185–6). The morality system's particular way of guaranteeing this predictability is to get us to internalize these demands of a minimally decent social life as deliberative priorities; as Williams puts the point, the morality system 'tries to produce an

expectation *that* through an expectation *of*' (1985, 187). But we do not need the obligation-out, obligation-in principle in order for that system to be satisfyingly robust. There can be intelligible and non-threatening departures from moral obligations, even if these moral obligations are not supplanted by yet other moral obligations.

Williams' second and third points are connected. His second point is that the category of importance enjoys a life that is independent of the morality system. We can find things important without having to relate this importance to the morality system for validation (1985, 182–3). The third point is that our practical lives do sometimes contain cases of practical necessity, where certain courses of action appear to us as making an unconditional claim upon us (1985, 188). Cases of practical necessity do not entirely coincide with cases of moral obligation. This is true even of some actions undertaken for moral reasons: think of heroic and supererogatory acts of bravery (1985, 188). But cases of practical necessity will take non-moral forms as well. Williams is encouraged in the thought that practical necessity can come apart from moral obligation by the fact that, in the Kantian picture, the feeling of practical necessity can count only as a *misleading* representation of morality's normative force. Feelings of practical necessity mislead because moral necessity is not something that *can* be represented by any particular feeling or experience (1985, 189–91). So, if we are not simply going to dismiss practical necessity cases as fraudulent, we should accept that they may not invariably have a moral source.

Within this collection of arguments, the Gauguin case seems to represent a case of practical necessity. We should be able to relate to Gauguin, and to find him non-monstrous, and we may think that any account of morality that cannot accommodate such cases is too austere or anemic

to be satisfactory. But I think some additional ambition is built into Williams' argument. The central interest of 'Moral Luck', from the perspective of Williams' later argument, is that it depicts a transition from justifiable concerns which are firmly moral to justifiable concerns which go beyond morality. The Gauguin case therefore functions as a sort of Trojan horse. Williams takes a feature which the morality system regards as central—deliberative priority—and, in a bold and ingenious piece of table-turning, uses it to displace the morality system itself. On his view, agents' deliberations may satisfy the test of practical necessity without its being the case that this test can only be satisfied by *moral* necessity. Gauguin's case shows us both that practical necessity can take a non-moral form, and that cases of non-moral practical necessity can be instantiated by agents who cannot be excluded from the realm of morality, on any sensible conception of what morality can be.

I have pointed to various problems with this argument. But the strategy it embodies is not the only strategy available to Williams. Williams does not have to displace the primacy of obligations by showing how deliberative priority can take non-moral forms. He can instead attempt to establish some distance between the category of importance and the category of deliberative priority, with its associated cluster of features such as the primacy of obligations and blame and the obligation-out, obligation-in principle. On this view, it will be, at bottom, the Humean argument which is calling the shots. We can agree that morality is important, but not that it should impose a permanent curfew on our lives and concerns.

Conclusion

The Kantian system represents the apotheosis of the morality system, and anti-luckism takes places its place among the constituent permanent members of the morality system, when that

system is described in full (1985, 195). But just as the appeal and role of anti-luckism can only be explained by taking a look at the appeal of the wider system in which it is embedded, the weaknesses of anti-luckism can only be diagnosed by a wider structural survey of the weaknesses of the system to which it belongs.

As I see matters, it was always unlikely that the existence of moral luck—an expression which Williams himself describes as suggesting an oxymoron (1993, 251)—could be the antidote to these wider concerns, or that anti-luckism itself was destined to be the uniquely exposed Achilles heel of the morality system. While Williams' strategy in *Ethics and the Limits of Philosophy* is consistent with his strategy in 'Moral Luck', it does not depend on it. Perhaps that should be counted as his good luck.[10]

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Notes

[1] Nagel (1979, 31–2) acknowledges Smith's work in this area.
[2] The literature on moral luck usually deals with the later revised versions, so I will be mostly referring to Williams (1981a) and Nagel (1979).
[3] I discuss these cases at length in my monograph *Strokes of Luck*, in progress.
[4] I ignore here complications about the truth of counterfactuals about fictional characters.
[5] If the failure is extrinsic, though, then it may be regret, rather than agent-regret, which Gauguin experiences. The same qualification should attach to subsequent interpretations. Thanks to Jake Wojtowicz for this point.
[6] Here, I am indebted to Wallace (2012). I also borrow the phrase 'all-in regret' from Wallace.
[7] Wallace (2012) provides a powerful argument that the absence of regret may be an unreliable guide to justification. The case Wallace pursues at length is the non-identity problem associated with Parfit (1984), ch. 16: specifically, the case of the fourteen-year-old girl who gives birth to a child who is raised in adverse circumstances, due to the mother's extreme youth. Wallace notes that this case has little to do with luck, since even at the earlier point it is perfectly foreseeable, if she enjoys a healthy relationship with him, that the fourteen-year-old girl will be unable, when she is older, to regret her original decision. That fact alone does not show that it was the right decision to make at the time.
[8] See Paul (2014) for a more recent exploration of the significance of transformative experience.
[9] The whole book, of course, is committed to this endeavor. I focus on Chapter 10 because this is the climax of Williams' argument, and because it is here where the particular concerns explored in 'Moral Luck' have a basic affinity with the concerns of the later work.
[10] An early version of this essay was presented at the Thirty Years of Bernard Williams' *Ethics and the Limits of Philosophy* Conference in Oxford, July 2015. Many thanks to Sophie-Grace Chappell for organizing this enjoyable and stimulating conference, and for the invitation to it. A revised version was presented at a Centre for Ethics and Metaethics seminar in Leeds. I'm very grateful indeed for all the helpful and insightful objections and suggestions I received on those two occasions. For further exchanges, I thank Victor Durà-Vilà, Brian McElwee, and Jake Wojtowicz. Thanks as well to several anonymous readers for their comments.